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Scott Livingston



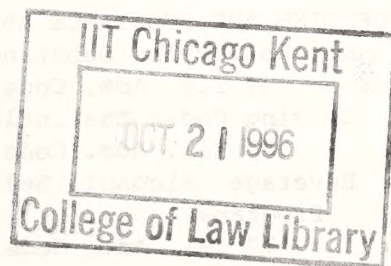
1996

Illinois Register

Rules of Governmental Agencies

Volume 20, Issue 42 — October 18, 1996

Pages 13463 - 13684



Index Department
Administrative Code Div.
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Springfield, IL 62756
(217) 782-7017
<http://www.sos.state.il.us>

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Secretary of State

TABLE OF CONTENTS

October 18, 1996 Volume 20, Issue 42

PROPOSED RULES

AGING, DEPARTMENT ON

Community Care Program

89 Ill. Adm. Code 24013463

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

Auto Liability

80 Ill. Adm. Code 310013473

COMMERCE COMMISSION, ILLINOIS

Fees And Taxes

92 Ill. Adm. Code 120513481

EDUCATION, STATE BOARD OF

Pupil Transportation Reimbursement

23 Ill. Adm. Code 12013485

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF

Minimum Standards For Certification Of Developmental Training Programs

59 Ill. Adm. Code 11913492

Minimum Standards For Licensure Of Community Residential Alternatives

59 Ill. Adm. Code 11313497

Standards And Licensure Requirements For Community-Integrated Living Arrangements

59 Ill. Adm. Code 11513502

Treatment And Habilitation Services

59 Ill. Adm. Code 11213507

PUBLIC AID, DEPARTMENT OF

Food Stamps

89 Ill. Adm. Code 12113515

ADOPTED RULES

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

Alcoholism And Substance Abuse Treatment And Intervention Licenses

77 Ill. Adm. Code 206013519

Driving Under The Influence Programs

77 Ill. Adm. Code 2056, Repeal13588

Beverage Alcohol Sellers and Servers Education And Training (Basset) Programs

77 Ill. Adm. Code 205713591

Licensure Of Alcoholism And Substance Abuse Treatment, Intervention And Research Programs

77 Ill. Adm. Code 2058, Repeal13593

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Schedules Of Maximum Rates To Be Charged For Check Cashing And Writing
Of Money Orders By Community And Ambulatory Currency Exchanges

38 Ill. Adm. Code 13013596

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF

Administration

59 Ill. Adm. Code 10113599

REVENUE, DEPARTMENT OF

Property Tax Code

86 Ill. Adm. Code 11013611

STATE POLICE MERIT BOARD, DEPARTMENT OF

Procedures Of Department Of State Police Merit Board

80 Ill. Adm. Code 15013663

EMERGENCY RULES

PUBLIC AID, DEPARTMENT OF

Food Stamps

89 Ill. Adm. Code 12113668

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received13683

Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 19, 1996 - Issue 16: Through	March 31, 1996
July 19, 1996 - Issue 29: Through	June 30, 1996
October 18, 1996 - Issue 42: Through	September 30, 1996
January 17, 1997 - Issue 3: Through	December 31, 1996 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1996

Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:
Dec. 19, 1995	Dec. 26, 1995	1	Jan. 5, 1996	June 25, 1996	July 2, 1996	28	July 12, 1996
Dec. 26, 1995	Jan. 2, 1996	2	Jan. 12, 1996	July 2, 1996	July 9, 1996	29	July 19, 1996
Jan. 2, 1996	Jan. 9, 1996	3	Jan. 19, 1996	July 9, 1996	July 16, 1996	30	July 26, 1996
Jan. 9, 1996	Jan. 16, 1996	4	Jan. 26, 1996	July 16, 1996	July 23, 1996	31	Aug. 2, 1996
Jan. 16, 1996	Jan. 23, 1996	5	Feb. 2, 1996	July 23, 1996	July 30, 1996	32	Aug. 9, 1996
Jan. 23, 1996	Jan. 30, 1996	6	Feb. 9, 1996	July 30, 1996	Aug. 6, 1996	33	Aug. 16, 1996
Jan. 30, 1996	Feb. 6, 1996	7	Feb. 16, 1996	Aug. 6, 1996	Aug. 13, 1996	34	Aug. 23, 1996
Feb. 6, 1996	Feb. 13, 1996	8	Feb. 23, 1996	Aug. 13, 1996	Aug. 20, 1996	35	Aug. 30, 1996
Feb. 13, 1996	Feb. 20, 1996	9	Mar. 1, 1996	Aug. 20, 1996	Aug. 27, 1996	36	Sept. 6, 1996
Feb. 20, 1996	Feb. 27, 1996	10	Mar. 8, 1996	Aug. 27, 1996	Sept. 3, 1996	37	Sept. 13, 1996
Feb. 27, 1996	Mar. 5, 1996	11	Mar. 15, 1996	Sept. 3, 1996	Sept. 10, 1996	38	Sept. 20, 1996
Mar. 5, 1996	Mar. 12, 1996	12	Mar. 22, 1996	Sept. 10, 1996	Sept. 17, 1996	39	Sept. 27, 1996
Mar. 12, 1996	Mar. 19, 1996	13	Mar. 29, 1996	Sept. 17, 1996	Sept. 24, 1996	40	Oct. 4, 1996
Mar. 19, 1996	Mar. 26, 1996	14	Apr. 5, 1996	Sept. 24, 1996	Oct. 1, 1996	41	Oct. 11, 1996
Mar. 26, 1996	Apr. 2, 1996	15	Apr. 12, 1996	Oct. 1, 1996	Oct. 8, 1996	42	Oct. 18, 1996
Apr. 2, 1996	Apr. 9, 1996	16	Apr. 19, 1996	Oct. 8, 1996	Oct. 15, 1996	43	Oct. 25, 1996
Apr. 9, 1996	Apr. 16, 1996	17	Apr. 26, 1996	Oct. 15, 1996	Oct. 22, 1996	44	Nov. 1, 1996
Apr. 16, 1996	Apr. 23, 1996	18	May 3, 1996	Oct. 22, 1996	Oct. 29, 1996	45	Nov. 8, 1996
Apr. 23, 1996	Apr. 30, 1996	19	May 10, 1996	Oct. 29, 1996	Nov. 4, 1996 (Mon.)	46	Nov. 15, 1996
Apr. 30, 1996	May 7, 1996	20	May 17, 1996	Nov. 4, 1996	Nov. 12, 1996	47	Nov. 22, 1996
May 7, 1996	May 14, 1996	21	May 24, 1996	Nov. 12, 1996	Nov. 19, 1996	48	Dec. 2, 1996 (Mon.)
May 14, 1996	May 21, 1996	22	May 31, 1996	Nov. 19, 1996	Nov. 26, 1996	49	Dec. 6, 1996
May 21, 1996	May 28, 1996	23	June 7, 1996	Nov. 26, 1996	Dec. 3, 1996	50	Dec. 13, 1996
May 28, 1996	June 4, 1996	24	June 14, 1996	Dec. 3, 1996	Dec. 10, 1996	51	Dec. 20, 1996
June 4, 1996	June 11, 1996	25	June 21, 1996	Dec. 10, 1996	Dec. 17, 1996	52	Dec. 27, 1996
June 11, 1996	June 18, 1996	26	June 28, 1996	Dec. 17, 1996	Dec. 23, 1996 (Mon.)	1	Jan. 3, 1997
June 18, 1996	June 25, 1996	27	July 5, 1996	Dec. 23, 1996	Dec. 31, 1996	2	Jan. 10, 1997

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3) Section Numbers: Proposed Action:
240.728 Amendment
240.729 Amendment
- 4) Statutory Authority: 20 ILCS 105/4.01(11) and 5.02
- 5) A Complete Description of the Subjects and Issues Involved: The purpose of the rulemaking is to update the maximum payment levels for homemaker and adult day care services. The rulemaking is to also delete the minimum number of adult day care units (days) per week.
- 6) Will this proposed rule replace an emergency rule currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any proposed amendments pending on this Part? Yes

Section	Proposed Action	Illinois Register Citation
240.230	Amendment	May 17, 1996 (20 Ill. Reg. 6613)
240.230	Amendment	May 17, 1996 (20 Ill. Reg. 6613)
240.1940	Amendment	May 17, 1996 (20 Ill. Reg. 6613)
240.1950	Amendment	May 17, 1996 (20 Ill. Reg. 6613)

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create a State mandate.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their written comments concerning this rulemaking, within 45 days after the date of this issue of the *Illinois Register*, to:

Ms. Pamela W. Balmer, Assistant
Office of General Counsel
Illinois Department on Aging
421 East Capitol Avenue #100
Springfield, IL 62701-1789
Attention: Maximum Payment Levels
217/785-3346

The rule amendments will have an impact on small businesses. In accordance

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

with Sections 1-20 and 5-20 of the Illinois Administrative Procedure Act, any small business may present their comments to Ms. Pamela W. Balmer, at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on the rule amendment shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: Community Care Program Providers
- B) Reporting, bookkeeping or other procedures required for compliance: Reporting, bookkeeping or other procedures are much the same as presently required.

- C) Types of professional skills necessary for compliance: The same skills as presently required.

13) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGING

PART 240

COMMUNITY CARE PROGRAM

SUBPART A: GENERAL PROGRAM PROVISIONS

Section	
240.100	Community Care Program
240.110	Department Prerogative
240.120	Services Provided
240.130	Maintenance of Effort
240.140	Program Limitations
240.150	Completed Applications Prior to August 1, 1982 (Repealed)
240.160	Definitions

SUBPART B: SERVICE DEFINITIONS

Section

240.210	Homemaker Service
240.220	Chore-Housekeeping Service (Repealed)
240.230	Adult Day Care Service
240.240	Information and Referral
240.250	Demonstration/Research Projects
240.260	Case Management Service
240.270	Alternative Provider
240.280	Individual Provider

SUBPART C: RIGHTS AND RESPONSIBILITIES

Section

240.300	Applicant/Client Rights and Responsibilities
240.310	Right to Apply
240.320	Nondiscrimination
240.330	Freedom of Choice
240.340	Confidentiality/Safeguarding of Case Information
240.350	Applicant/Client/Authorized Representative Cooperation
240.360	Reporting Changes
240.370	Voluntary Repayment

SUBPART D: APPEALS

Section

240.400	Appeals and Fair Hearings
240.405	Representation
240.410	When the Appeal May Be Filed
240.415	What May Be Appealed

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

240.420	Group Appeals
240.425	Informal Review
240.430	Informal Review Findings
240.435	Withdrawing an Appeal
240.436	Cancelling an Appeal
240.440	Examining Department Records
240.445	Hearing Officer
240.450	The Hearing
240.451	Conduct of Hearing
240.455	Continuance of the Hearing
240.460	Postponement
240.465	Dismissal Due to Non-Appealance
240.470	Rescheduling the Appeal Hearing
240.475	Recommendations of Hearing Officer
240.480	The Appeal Decision
240.485	Reviewing the Official Report of the Hearing

SUBPART E: APPLICATION

Section

240.510	Application for Community Care Program
240.520	Who May Make Application
240.530	Date of Application
240.540	Statement to be Included on Application

SUBPART F: ELIGIBILITY

Section

240.600	Eligibility Requirements
240.610	Establishing Eligibility
240.620	Home Visit
240.630	Determination of Eligibility
240.640	Eligibility Decision
240.650	Continuous Eligibility
240.655	Frequency of Redeterminations
240.660	Extension of Time Limit

SUBPART G: NON-FINANCIAL REQUIREMENTS

Section

240.710	Age
240.715	Determination of Need
240.720	Clients Prior to Effective Date of this Section (Repealed)
240.725	Clients After Effective Date of this Section (Repealed)
240.726	Emergency Budget Act Reduction (Repealed)
240.727	Minimum Score Requirements
240.728	Maximum Payment Levels for Homemaker Service
240.729	Maximum Payment Levels for Adult Day Care Service

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

240.730 Plan of Care
 240.735 Supplemental Information
 240.740 Assessment of Need
 240.750 Citizenship
 240.755 Residence
 250.760 Furnishing of Social Security Number

SUBPART H: FINANCIAL REQUIREMENTS

Section
 240.800 Financial Factors
 240.810 Assets
 240.815 Exempt Assets
 240.820 Asset Transfers
 240.825 Income
 240.830 Unearned Income Exemptions
 240.835 Earned Income
 240.840 Potential Retirement, Disability and Other Benefits
 240.845 Family
 240.850 Monthly Average Income
 240.855 Applicant/Client Expense for Care
 240.860 Change in Income
 240.865 Application For Medical Assistance (Medicaid)
 240.870 Determination of Applicant/Client Monthly Expense for Care
 240.875 Client Responsibility

SUBPART I: DISPOSITION OF DETERMINATION

Section
 240.905 Prohibition of Institutionalized Individuals From Receiving Community Care Program Services
 240.910 Written Notification
 240.915 Service Provision
 240.920 Reasons for Denial
 240.925 Frequency of Redeterminations (Renumbered)
 240.930 Suspension of Services
 240.935 Discontinuance of Services to Clients
 240.940 Penalty Payments
 240.945 Notification
 240.950 Reasons for Termination
 240.955 Reasons for Reduction or Change

SUBPART J: SPECIAL SERVICES

Section
 240.1010 Nursing Home Prescreening
 240.1020 Interim Services
 240.1040 Intense Service Provision

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

240.1050 Temporary Service Increase

SUBPART K: TRANSFERS

Section
 240.1110 Individual Transfer Request - Vendor to Vendor - No Change in Service
 240.1120 Individual Transfer Request - Vendor to Vendor - With Change in Service
 240.1130 Individual Transfers - Case Coordination Unit to Case Coordination Unit
 240.1140 Transfer of Pending Applications
 240.1150 Interagency Transfers
 240.1160 Temporary Transfers - Case Coordination Unit to Case Coordination Unit
 240.1170 Caseload Transfer - Vendor to Vendor
 240.1180 Caseload Transfer - Case Coordination Unit to Case Coordination Unit

SUBPART L: ADMINISTRATIVE SERVICE CONTRACT

Section
 240.1210 Administrative Service Contract

SUBPART M: CASE COORDINATION UNITS AND VENDORS

Section
 240.1310 Standard Contractual Requirements for Case Coordination Units and Vendors
 240.1320 Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts
 240.1330 General Vendor and CCU Responsibilities (Repealed)
 240.1396 Payment for Services (Repealed)
 240.1397 Purchases and Contracts (Repealed)
 240.1398 Safeguarding Case Information (Repealed)
 240.1399 Suspension/Termination of a Vendor or Case Coordination Unit (CCU)

SUBPART N: CASE COORDINATION UNITS

Section
 240.1400 Community Care Program Case Management
 240.1410 Case Coordination Unit Administrative Minimum Standards
 240.1420 Case Coordination Unit Responsibilities
 240.1430 Case Management Staff Positions, Qualifications and Responsibilities
 240.1440 Training Requirements For Case Management Supervisors and Case Managers

SUBPART O: PROVIDERS

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

240.1510	Provider Administrative Minimum Standards
240.1520	Provider Responsibilities
240.1530	General Homemaker Staffing Requirements
240.1535	Homemaker Staff Positions, Qualifications and Responsibilities
240.1540	General Chore-Housekeeping Staffing Requirements (Repealed)
240.1545	Chore-Housekeeping Staff Positions, Qualifications and Responsibilities (Repealed)
240.1550	Standard Requirements for Adult Day Care Providers
240.1555	General Adult Day Care Staffing Requirements
240.1560	Adult Day Care Staff Qualifications
240.1565	Adult Day Care Satellite Sites
240.1570	Service Availability Expansion
240.1575	Adult Day Care Site Relocation
240.1580	Standards for Alternative Providers
240.1590	Standard Requirements for Individual Provider Services

SUBPART P: PROVIDER PROCUREMENT

Section	Provider Contract
240.1600	Procuring Provider Services
240.1605	Procurement Cycle for Provider Services
240.1610	Issuance of Provider Proposal and Guidelines
240.1620	Content of Provider Proposal and Guidelines
240.1625	Criteria for Number of Provider Contracts Awarded
240.1630	Evaluation of Provider Proposals
240.1635	Determination and Notification of Provider Awards
240.1640	Objection to Procurement Action Determination
240.1645	Classification of Provider Service Violations
240.1650	Method of Identification of Provider Service Violations
240.1655	Compliance Reviews of Contracted Provider Agencies
240.1660	Provider Right to Appeal
240.1661	Contract Actions for Failure to Comply with Community Care Program Requirements
240.1665	

SUBPART Q: CASE COORDINATION UNIT PROCUREMENT

Section	Procurement Cycle For Case Management Services
240.1710	Case Coordination Unit Compliance Review
240.1720	

SUBPART R: ADVISORY COMMITTEE

Section	Community Care Program (CCP) Advisory Committee
240.1800	Technical Rate Review Advisory Committee (Repealed)
240.1850	

SUBPART S: RATES

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

Section	Establishment of Fixed Unit Rates
240.1910	Contract Specific Variations
240.1920	Fixed Unit Rate of Reimbursement for Homemaker Service
240.1930	Fixed Unit Rates of Reimbursement for Adult Day Care Service and Transportation
240.1940	Adult Day Care Fixed Unit Reimbursement Rates
240.1950	Case Management Fixed Unit Reimbursement Rates
240.1960	

SUBPART T: FINANCIAL REPORTING

Section	Financial Reporting of Homemaker Service
240.2020	Unallowable Costs for Homemaker Service
240.2030	Minimum Direct Service Worker Costs for Homemaker Service
240.2040	Cost Categories for Homemaker Service
240.2050	

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging [20 ILCS 105/4.02 and 4.01(1)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1900, effective February 18, 1991, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective July 1, 1985; emergency amendments at 9 Ill. Reg. 14011, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838, effective February 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments modified in response to a suspension by the Joint Committee on Administrative Rules and reinstated at 16 Ill. Reg. 2943; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments at 16 Ill. Reg. 2630, effective February 1, 1992, for a maximum of 150 days; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992; emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11731, effective June 30, 1992; emergency rule added at 16 Ill. Reg. 12615, effective July 23, 1992, for a maximum of 150 days; modified at 16 Ill. Reg. 16680; amended at 16 Ill. Reg. 14565, effective September 8, 1992; amended at 16 Ill. Reg. 18767, effective November 27, 1992; amended at 17 Ill. Reg. 224, effective December 29, 1992; amended at 17 Ill. Reg. 6090, effective April 7, 1993; amended at 18 Ill. Reg. 609, effective February 1, 1994; emergency amendment at 18 Ill. Reg. 5348, effective March 22, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 13375, effective August 19, 1994; amended at 19 Ill. Reg. 9085, effective July 1, 1995; emergency amendment at 19 Ill. Reg. 10186, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12693, effective August 25, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16031, effective November 20, 1995; amended at 19 Ill. Reg. 16523, effective December 1, 1995; amended at 20 Ill. Reg. 1493, effective January 10, 1996; emergency amendment at 20 Ill. Reg. 5388, effective March 22, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 8995, effective July 1, 1996; amended at 20 Ill. Reg. 10597, effective August 1, 1996; amended at 20 Ill. Reg. _____, effective _____.

SUBPART G: NON-FINANCIAL REQUIREMENTS

Section 240.728 Maximum Payment Levels for Homemaker Service

Maximum monthly service dollars are calculated according to the applicant's/client's total Determination of Need score. These maximum monthly service dollars will be adjusted by the Department to be consistent with any future unit rate adjustments for Community Care Program (CCP) providers.

- Individuals scoring from 29 thru 32 points shall be eligible for services costing not less than \$1 and not to exceed \$211 \$190 monthly.
- Individuals scoring from 33 thru 36 points shall be eligible for services costing no less than \$1 and not to exceed \$350 \$300 monthly.
- Individuals scoring from 37 thru 45 points shall be eligible for services costing no less than \$1 and not to exceed \$533 \$480 monthly.
- Individuals scoring from 46 thru 56 points shall be eligible for services costing no less than \$1 and not to exceed \$665 \$600 monthly.
- Individuals scoring from 57 thru 67 points shall be eligible for services costing no less than \$1 and not to exceed \$873 \$780 monthly.
- Individuals scoring from 68 thru 78 points shall be eligible for services costing no less than \$1 and not to exceed \$1,007 \$910 monthly.
- Individuals scoring from 79 thru 87 points shall be eligible for services costing no less than \$1 and not to exceed \$1,371 \$1240 monthly.
- Individuals scoring from 88 thru 100 points shall be eligible for services costing no less than \$1 and not to exceed \$1,598 \$1445 monthly.

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 240.729 Maximum Payment Levels for Adult Day Care Service

Applicable service maximum levels for Community Care Program clients who, based on an approved plan of care, receive at least the indicated minimum units of adult day care service are:

DON SCORE RANGE	SERVICE MAXIMUM LEVEL	MINIMUM AGE UNITS/WK.
29-32	\$ 236190	N/A
33-36	590450	2
37-45	708600	3
46-56	828750	4
57-67	944000	4
68-78	1,007910	N/A
79-87	1,3711240	N/A
88-100	1,5981445	N/A

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Auto Liability
- 2) Code Citation: 80 Ill. Adm. Code 3100
- 3) Section number:
- | | |
|-----------|--------|
| 3100.200 | Amend |
| 3100.300 | Amend |
| 3100.400 | Repeal |
| 3100.500 | Amend |
| 3100.600 | Amend |
| 3100.800 | Amend |
| 3100.900 | Amend |
| 3100.1000 | Amend |
| 3100.1100 | Amend |
| 3100.1200 | Amend |

4) Statutory Authority: Implementing and authorized by Section 64.1 of the Civil Administrative Code of Illinois (20 ILCS 405/64.1).

5) A Complete Description of the Subjects and Issued Involved: This Part is being amended to provide for changes per internal audit recommendations and to streamline the administrative procedure.

6) Will this proposed amendment replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217)782-9669

12) Initial Regulatory Flexibility Analysis: Does not apply to small businesses.

13) Regulatory Agenda on which this rule was summarized: This rule was not

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

included on either of the 2 most recent agendas because: The need for the rulemaking did not come to the Department's attention until after the agenda was filed.

The full text of the Proposed Amendments begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE I: GENERAL TRAVEL CONTROL

CHAPTER V: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 3100
AUTO LIABILITY

Section

3100.100 Summary and Purpose
 3100.200 Review of Accidents
 3100.300 Standards to be Used by Claims Adjustors Review-Committees
 3100.400 Monitoring Reports (Repealed)
 3100.500 Notice of Multiple At-Fault Accidents - Warning Status
 3100.600 Probation
 3100.700 Revocation of Coverage
 3100.800 Gross Negligence
 3100.900 Willful and Wanton Misconduct
 3100.1000 Unacceptable Risk
 3100.1100 Review Prior to Revocation of Coverage
 3100.1200 Appeal

AUTHORITY: Implementing and authorized by Section 64.1 of the Civil Administrative Code of Illinois [20 ILCS 405/64.1].

SOURCE: Adopted at 12 Ill. Reg. 9487, effective May 24, 1988; amended at 20 Ill. Reg. _____, effective _____.

Section 3100.200 Review of Accidents

- a) Claims adjustors in the Department of Central Management Services (DCMS), Division of Risk Management (DRM) Auto Liability Unit, At State-Offices-Agencies-Boards-and-Commissions shall investigate establish-an-accident-review-committee-within-the-agency-for-the purpose-of-investigating all motor vehicle accidents involving State employees of that agency who were driving State vehicles or who were engaged in State business at the time the accident occurred. The Department-of-Central-Management-Services-(DCMS)-shall-assist-the agency-in-developing-accident-review-committees-at-the-agency's request--DCMS-shall-make-sample-procedures-available-for-review committees-to-follow
- b) After reviewing all relevant evidence, the claims adjustor accident review-committee shall determine whether the employee involved in the accident was "at fault." This determination will be apart from the determination of liability.
- c) If-the-accident-review-committee-determines-that-the-employee-was--"at fault--the-agency-shall-report-this-determination-to-DCMS--Division-of Risk-Management-(DRM)-on-forms-provided-by-DRM-for-this-purpose

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.300 Standards to be Used by Claims Adjustors Review-Committees

- a) For the purposes of this Part, an employee shall be "at fault" when:
- 1) the accident is caused by the failure of the employee to operate the motor vehicle with the degree of care that would normally be exercised by an ordinary reasonable person; and
 - 2) the failure of the employee to exercise due care is more than 50% responsible for the resulting accident.
- b) In determining an employee to be at fault, the claims adjustor review committee shall consider:
- 1) any mitigating factors present such as an employee's being required to drive under adverse weather conditions, on congested roadways, or being required to drive a greater than average amount of miles per year based on figures maintained for the DCMS State garage fleet;
 - 2) special requirements of the employee's assignment or standing departmental orders or policies, including the needs of law enforcement, public safety and emergency personnel;
- c) The determination of "at fault" made by the claims adjustor committee is a determination of insurability and shall not under any circumstances be interpreted as an admission of liability. All committee findings shall be treated as confidential information. Such records shall not be available for non-official inspection and use or subject to release under a Freedom of Information Act [5 ILCS 140] (Ill.-Rev-Stat--1987-ch-116--pars--201-et-seq--) request without the prior permission of the affected employee.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.400 Monitoring Reports (Repealed)

DCMS-shall-monitor-reports-of-at-fault-accidents-received-from-State-agencies-

(Source: Repealed at 20 Ill. Reg. _____, effective _____)

Section 3100.500 Notice of Multiple At-Fault Accidents - Warning Status

- a) If an employee is involved in two at-fault accidents within two years in which damages exceed \$500 per occurrence, result-in-payments--being made-under-the-plan, that employee will be sent a letter via certified mail from DRM placing them in warning status. Employees who satisfactorily complete a remedial driver's training course approved by DCMS will remain in warning status until the expiration of one year

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

from receipt of the warning status letter. For purposes of damage calculation, property damages to third parties or to the State vehicle or other State property will be based on the lesser of two repair estimates or on the estimate by the State's damage appraisal vendor. Bodily injury damages will be calculated based on medical evidence. Where primary coverage is provided by the State employee's personal insurance carrier, damage will be as documented by the private carrier.

- b) The letter shall notify the employee that an additional at-fault accident within one year of receipt of letter will place the employee's coverage under the Plan on probation.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.600 Probation

- a) Should a State employee be involved in an additional at-fault accident in which damages exceed \$500 ~~for which payment is made under the Plan~~ within one year after of receiving the notice specified in Section 3100.500, that employee's coverage under the Plan shall be placed on probation for one year.

- b) An employee whose coverage is placed on probation shall be notified by DRM via certified mail that if he/she is involved in an additional at-fault accident for which damages exceed \$500 as defined in 80 Ill. Adm. 3100.500 ~~payment is made under the Plan~~ within one year after of the date of the notice, the employee shall be deemed an unacceptable risk and coverage under the plan ~~may~~ **shall** be revoked.

- c) Upon receiving written evidence from the provider of the course that an employee whose coverage is placed on probation has satisfactorily completed a remedial driver's training course approved by DCMS, that employee shall be removed from probation. If one year has not expired since receipt of the warning status letter, the individual will be returned to warning status until the expiration of one year from the receipt of the warning status letter ~~probationary status~~. DCMS will reimburse employees successfully completing an approved course of remedial training. The criteria for approval of a remedial training course shall include:

- 1) a curriculum based on teaching recognized defensive driving techniques and accident prevention;
- 2) course length sufficient to teach these skills, not in excess of 2 weeks or shorter than 8 hours ~~2 days~~; and
- 3) a reasonable fee for instruction, not in excess of \$100.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.800 Gross Negligence

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

For the purposes of this Part, an employee shall be deemed to be grossly negligent when the employee ~~operated~~ **operates** the motor vehicle involved in a manner which demonstrates ~~evidence~~ **evidences** that the employee ~~has~~ failed to exercise even a slight degree of ordinary due care to prevent injury to the person or property of another.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.900 Willful and Wanton Misconduct

For the purposes of this Part, an employee shall be deemed to have engaged in willful and wanton misconduct when the employee ~~operated~~ **operates** the motor vehicle involved in a manner which demonstrates ~~evidence~~ **evidences** an ~~unjustified~~ intentional disregard for the safety of other persons or property.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.1000 Unacceptable Risk

For the purposes of this Part, an employee is deemed an unacceptable risk when:

- a) An employee has an at-fault accident within the probationary period and damages exceed \$500 as defined in 80 Ill. Adm. Code 3100.500; or ~~payment has been made under the Plan~~
- b) An at-fault accident results in property damage liability reserved by the DRM claims adjuster and verified by the claims supervisor in the amount of \$1 million or more; or
- c) An at-fault accident results in bodily injuries and damages are reserved by the DRM claims adjuster and verified by the claims supervisor ~~incurred~~ in the amount of \$1 million or more; or
- d) An at-fault accident results in the wrongful death of a person; or
- e) An at-fault accident results in bodily injury or property damage to a third party and the employee is subsequently convicted as driving under the influence as defined in Article V of the Illinois Rules of the Road [625 ILCS 5/Art. V] ~~(Ill. Rev. Stat. 1997-ch-95-1/27 pars. 11-500-et-seq.)~~. For purposes of this Subpart, court supervision or revocation of license for failure to submit to a breath test shall not constitute conviction.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.1100 Review Prior to Revocation of Coverage

- a) Prior to revoking the coverage of any employee under the Plan, the Director of DCMS shall convene a special committee to review all accidents leading to the revocation.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- b) This committee shall be composed of three ~~two~~ employees of DCMS and one representative of the employing agency chosen by the Director of that agency. If the employee whose coverage is to be revoked is represented by a collective bargaining unit, then a representative of that collective bargaining unit chosen by the unit shall also be appointed to the committee.
- c) The committee shall hear all relevant evidence including evidence or statements presented by the affected employee. The purpose of the committee's review is to verify that the record supports that the requirements of 80 Ill. Adm. Code 3100.1000 were present and support the revocation of coverage.
- d) The committee shall also consider any mitigating factors, including but not limited to length of service, prior driving record, the employee's position and the type of driving engaged in. The purpose of this review is to determine the mitigating factors such as are defined in 80 Ill. Adm. Code 3100.300 are sufficient to support the continuation of probationary status or dictate that revocation be for a limited time.
- e) The committee shall recommend to the Director that the employee's coverage either be revoked or that the employee remain on probationary status.
- f) If the committee recommends that coverage be revoked, it shall also recommend the length of the revocation period. Coverage may be revoked for between one and five years. The basis for this recommendation shall be the standards incorporated in subsections (c) and (d) of this Section.
- g) The Director of DCMS will then determine whether coverage should be revoked and the length of the revocation. The basis of this decision shall be based on the standards incorporated in subsections (c), (d) and (f) of this Section.
- h) The employee shall be notified of the Director's decision by letter sent by certified mail. Revocation shall be effective ten days from the date of mailing.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 3100.1200 Appeal

- a) The employee shall have a right to appeal the Director's decision.
- b) Such appeal shall be filed with DCMS within 30 days of the effective date of the revocation. The revocation shall remain in full force and effect during the appeal.
- c) Any appeal shall be conducted as an administrative hearing pursuant to the requirements of Article 10 Sections--19-through-15 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 10]. (---Rev-Stat--1987--ch--127--pars--1819-through-1815).
- d) The decision of the hearing officer shall be final and binding and

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- shall constitute the employee's final administrative relief.
- (Source: Amended at 20 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Fees and Taxes
- 2) Code Citation: 92 Ill. Adm. Code 1205
- 3) Section Numbers: Proposed Action:
1205.400 New Section
- 4) Statutory Authority: Implementing Sections 18c-1202(9), 18c-1501, 18c-1502 and 18c-5102 and authorized by Section 18c-1202(9), 18c-1501, 18c-1502 and 18c-5102 of the Illinois Commercial Transportation Law [625 ILCS 5/18c-1202(9), 18c-1402, 18c-1501, 18c-1502 and 18c-5102].

5) A Complete Description of the Subjects and Issues Involved: Section 18c-1503 of the Illinois Commercial Transportation Law says: "It is the intent of the Legislature...that any surplus...accumulated in the Transportation Regulatory Fund...should be considered in establishing or adjusting fees for the succeeding years. The Commission shall...insure that any surplus generated...in the TRF does not exceed the surplus accumulated...during fiscal year 1984, and shall adjust the level of such fees...to insure compliance with this provision." The surplus in 1984 was about \$4.5 million, and the Fund now had a July 1 operating surplus of \$4.463 million.

Because of an influx of out-of-state carriers, revenue to the Transportation Regulatory Fund in the last 18 months has greatly exceeded the amounts anticipated. In 1994, 10% of the intrastate carriers were from out of state, and they operated 19% of the vehicles for which fees were paid. Today 17% of intrastate carriers are from out of state and their intrastate vehicles make up 34% of the total. This does not include their interstate operations under the SSRS program.

This rulemaking will temporarily lower trucking fees by \$1,750,000 for the 1997 "stamp year" pending federal resolution of the Single State Registration System replacement program (the Federal Highway Administration will change the SSRS system - including fees - next year). At that time a permanent funding structure can be devised.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? Yes. January 1, 1998
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This proposed amendment neither

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED AMENDMENT

creates nor expands any State mandate on units of local government, school districts, or community college districts.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be submitted to:

Kathy Campbell
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62706
(217) 785-1018

Comments should be filed within 45 days of the date of this issue of the *Illinois Register*.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: This amendment will affect those companies engaged in the for hire transport of property in intrastate commerce in Illinois that are also small businesses as defined in the Illinois Administrative Procedure Act.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The Commission did not anticipate the need for this rulemaking at that time.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

TITLE 92: TRANSPORTATION
 CHAPTER III: ILLINOIS COMMERCE COMMISSION
 SUBCHAPTER a: COMMERCIAL TRANSPORTATION GENERALLY

PART 1205
 FEES AND TAXES

SUBPART A: FILING FEES

Section
 1205.10
 1205.20

Filing Fees
 Late-Filing Fees (Repealed)

SUBPART B: ANNUAL VEHICLE FEES

Section
 1205.100
 1205.110
 1205.115

Intrastate Motor Carriers of Property
 Interstate Motor Carriers of Property
 Ordering Fees

SUBPART C: GROSS RECEIPTS TAXES

Section
 1205.200
 1205.210
 1205.220

Gross Receipts Taxes for Motor Carriers of Passengers (Repealed)
 Gross Receipts Taxes for Rail Carriers
 Gross Receipts Taxes for Common Carrier Pipelines

SUBPART D: PAYMENT PROCEDURES

Section
 1205.300

Payment of Fees

SUBPART E: TEMPORARY FILING AND VEHICLE FEES

Section

1205.400 Temporary Filing Fees, Annual Vehicle Fees and Ordering Fees

AUTHORITY: Implementing and authorized by Sections 18c-1202(9), 18c-1501, 18c-1502, and 18c-5102 of the Illinois Commercial Transportation Law [625 ILCS 5/18c-1202(9), 18c-1501, 18c-1502 and 18c-5102].

SOURCE: Emergency rules adopted at 11 Ill. Reg. 1497, effective January 1, 1987, for a maximum of 150 days; adopted at 11 Ill. Reg. 9853, effective May 8, 1987; amended at 12 Ill. Reg. 15340, effective October 1, 1988; amended at 13 Ill. Reg. 11460, effective July 1, 1989; amended at 18 Ill. Reg. 11155, effective July 1, 1994; emergency amendment at 18 Ill. Reg. 16464, effective October 21, 1994, for a maximum of 150 days; emergency rule expired March 20, 1994; amended at 19 Ill. Reg. 8198, effective June 8, 1995; amended at 20 Ill.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

Reg. _____, effective _____.

SUBPART E: TEMPORARY FILING AND VEHICLE FEES

Section 1205.400 Temporary Filing Fees, Annual Vehicle Fees and Ordering Fees

Notwithstanding any other provision of this Part, the following fees will become effective upon the effective date of this amendment and shall remain in effect until January 1, 1998.

a) Filing Fees

- 1) Application for Public Carrier Certificate \$100
- 2) Motor carrier of property proof of insurance \$ 0
- 3) coverage filing \$ 0
- Each order of intrastate cab cards and interstate exempt bingo stamps \$ 0
- 4) Tariff maintenance fee, payable by December 31 of each year \$ 0
- 5) Petition for Certificate of Exemption \$ 75
- 6) Application to register as an exempt interstate motor carrier of property or passengers \$ 0

b) Annual Vehicle Fees

- 1) Any intrastate carrier operating under a license issued by this Commission which is valid on the effective date of this amendment, and who has purchased intrastate cab cards for the current stamp period prior to the effective date of this amendment, shall have the expiration date of those cab cards extended until December 31, 1997. Any additional cab cards purchased after the effective date of this amendment shall be \$25.00 for household goods carriers, and \$5.00 for public carrier certificate holders.

- 2) Any exempt interstate carrier of property who has registered with this Commission on the effective date of this amendment, and who has purchased bingo stamps for the current stamp period prior to the effective date of this amendment, shall have the expiration date of those bingo stamps extended until December 31, 1997. Any additional bingo stamps purchased after the effective date of this amendment shall be \$7.00.

- c) The provisions of this Section shall be automatically repealed effective January 1, 1998, in accordance with the provisions of Section 5-55 of the Illinois Administrative Procedure Act [5 ILCS 100/5-55].

(Source: Added at 20 Ill. Reg. _____, effective _____.)

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Pupil Transportation Reimbursement

2) Code Citation: 23 Ill. Adm. Code 120

3) Section Number: 120.115
Proposed Action:
New Section

4) Statutory Authority: 105 ILCS 5/Art. 29

5) A Complete Description of the Subjects and Issues Involved: This proposed amendment responds to P.A. 89-151, which requires a school district to calculate its fully allocated costs for transportation if such a calculation is called for to permit comparison of the district's costs with those of vendors who wish to bid on the provision of transportation services. The content of the rule was developed in consultation with the Pupil Transportation Advisory Committee, which is made up of regional superintendents, representatives of school districts' transportation departments, a private transportation contractor, and representatives of the Illinois Department of Transportation, Illinois State Police and Illinois Association for Pupil Transportation.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
217/782-0541

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: Transportation contractors.

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

B) Reporting, bookkeeping or other procedures required for compliance: None for small businesses; the cost allocation procedures specified in the rules apply to school districts.

C) Types of professional skills necessary for compliance: Accounting and bookkeeping.

13) Regulatory agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendment begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER C: FINANCE

PART 120

PUPIL TRANSPORTATION REIMBURSEMENT

SUBPART A: SCHOOL REIMBURSEMENT

Section

120.10 Definitions

120.20 Transportation and Student Discipline

120.30 Pupil Transportation Services Eligible for Reimbursement

120.40 Pupil Transportation Services Not Eligible for Reimbursement

120.50 Reimbursable Direct Operating Costs

120.60 Reimbursable Annual Depreciation Allowances

120.70 Deductions from Direct Operating Costs

120.80 Reimbursable Indirect Cost for Pupil Transportation Services

120.90 Cost Proration Related to Pupil Transportation

120.100 Reimbursement Formulas

120.110 Reporting Requirements

120.115 Fully Allocated Costs of Transportation

120.120 Computerized Bus Scheduling by Contract

120.130 Seat Back Reimbursement

SUBPART B: CUSTODIAN REIMBURSEMENT FOR PUPIL TRANSPORTATION

Section

120.200 Definitions

120.210 Custodians Eligible for Reimbursement

120.220 Custodians Not Eligible for Reimbursement

120.230 Responsibilities of Schools

120.235 Responsibilities of Public and Nonpublic Chief Administrative Officers

120.240 Reimbursement

120.245 Responsibilities of the Superintendents of Educational Service Regions

120.250 Dispute Resolution

120.260 Audit and Enforcement

AUTHORITY: Implementing and authorized by Article 29 of the School Code [105 ILCS 5/Art. 29].

SOURCE: Adopted at 10 Ill. Reg. 19438, effective October 31, 1986; amended at 10 Ill. Reg. 21675, effective December 11, 1986; amended at 12 Ill. Reg. 4147, effective February 5, 1988; amended at 13 Ill. Reg. 7731, effective May 8, 1989; amended at 16 Ill. Reg. 10213, effective June 10, 1992; emergency

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

amendment at 18 Ill. Reg. 12853, effective August 9, 1994, for a maximum of 150 days; emergency expired January 6, 1995; amended at 20 Ill. Reg. _____, effective _____.

SUBPART A: SCHOOL REIMBURSEMENT

Section 120.115 Fully Allocated Costs of Transportation

This Section sets forth the requirements for calculating a district's fully allocated costs for the provision of transportation when such a calculation is called for under Section 29-6.3 of the School Code [105 ILCS 5/29-6.3].

a) Definitions

1) "Avoidable costs" means costs incurred by a district that would be eliminated or transferred to a contractor if the district contracted for transportation services.

2) "Unavoidable costs" means costs incurred by a district that would still exist for the district if the district contracted for transportation services.

3) "Residual value" means the value of an asset at the time of its disposal.

b) Allocation of Costs

The allocation of costs directly attributable to the provision of transportation services by the district shall be accomplished as outlined in this subsection (b).

1) Costs in the categories enumerated in subsection (c) of this Section which are attributable to the provision of transportation shall be separated from costs in those categories not attributable to the provision of transportation by determining what percentage or portion of each item of expense is used for transportation.

2) Each item of cost shall be expressed in terms of the appropriate cost unit, such as an hourly wage, a monthly salary, a monthly lease payment, or a per-mile expense.

3) The costs attributable to transportation shall be separated into avoidable and unavoidable costs so that bid amounts can be accurately compared with the district's cost for the same set(s) of services and activities.

c) Fully Allocated Costs

The items enumerated in this subsection (c) and in subsection (d) of this Section are eligible for inclusion by the district in its calculation of the fully allocated cost for the provision of transportation.

1) Labor/Personnel Costs

A) Managers (direct administration)

B) Supervisors

C) Dispatchers

D) Drivers

E) Aides/Monitors

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

- F) Security Personnel
 G) Clerical Personnel
 H) Training Personnel
 I) Custodians, Groundskeepers, and Maintenance Personnel
 J) Accountants
 K) Personnel Administrative Staff
 L) Legal Staff
 M) Mechanics/Helpers
 N) Inventory/Parts Clerks
 O) Fuel Attendants
 P) Vehicle Cleaners
 Q) Planners/Schedulers
- 2) Employee Benefits (associated with personnel included pursuant to subsection (c)(1) of this Section)
- A) FICA and Medicare
 B) Unemployment Insurance
 C) Worker's Compensation
 D) Insurance
 i) health/hospital
 ii) dental
 iii) life
 iv) disability
 E) Pension and retirement plans
 F) Paid absences
- 3) Maintenance and Supplies
- A) Office supplies
 B) Postage and shipping
 C) Custodial supplies
 D) Training materials
 E) Uniforms
 F) Fuel (for vehicles only)
 G) Oil and grease
 H) Tires and tubes
 I) Parts and supplies
 J) Tools
- 4) Utilities
- A) Water and sewage
 B) Electricity
 C) Telephone
 D) Gas/Oil/Coal (for facilities only)
 E) Trash collection
 F) Collection of used oil
- 5) Insurance
- A) Liability insurance
 B) Vehicle insurance
 C) Property, plant, and equipment insurance
 D) Umbrella insurance
- 6) Capital Assets (eligible for depreciation and/or opportunity

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

costs; see subsection (d) of this Section.

- A) Office space
 B) Office equipment, including computers
 C) Parking lots
 D) Furniture
 E) Land
 F) Vehicle storage
 G) Passenger shelters
 H) Buses
 I) Support vehicles
 J) Radio/communications equipment and other necessary equipment permanently attached to a vehicle
- K) Maintenance facilities
 L) Fuel storage and pumps
 M) Tools
 N) Shop equipment
- 7) Taxes, fees, and permits
- A) Property tax
 B) Sales and excise tax
 C) Operating permits
 D) Registration fees
 E) Licensing fees
 F) Vehicle inspections
- 8) Miscellaneous
- A) Travel and per diem
 B) Subscriptions and dues
 C) Physical examinations
 D) Professional meetings
 E) Drug and alcohol testing
 F) Criminal background checks
 G) Routing software
 H) Consultants' fees
- 9) Any other costs that the district can document in writing are attributable to its provision of transportation under the terms set forth in this Section.
- d) Depreciation and Opportunity Costs
- 1) Only capital assets owned by the district are eligible for depreciation; leased assets are treated as annual expenditure items based upon the cost of the lease for the fiscal year being examined. Land has an unlimited useful life and is therefore not depreciated.
- A) Only those assets with depreciable value in excess of \$1,000 shall be eligible for depreciation.
 B) The amount of depreciation attributable to the fiscal year in question shall be calculated by dividing the cost of acquiring the asset minus its residual value by its useful life.
- 2) The opportunity cost of an asset shall be calculated by assessing

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

its current market value, subtracting the cost of disposing of the asset, and multiplying the resulting amount by the interest rate available to the district for the purchase of assets over time.

e) Projecting Future Costs

Using costs for the most recent fiscal year as a base-year point of departure, districts shall project future costs for continuing to provide transportation services, as a basis for comparison with bid amounts. Factors which will influence the district's future costs must be identified and included in the calculation as set forth in this subsection (e).

1) The district shall identify known or anticipated changes in service which would result in significant increases or decreases in cost, such as:

- A) an increased or reduced number of routes;
- B) an increased or reduced number of students;
- C) changes in riders' eligibility;
- D) changes in safety hazard identification practices; and
- E) any other expected change in amount or level of service.

2) The district shall compute the magnitude of the anticipated change by:

- A) determining the number of routes that would be added or subtracted;
- B) determining the number of students that would be added or subtracted from ridership;
- C) determining the amount of change in fixed costs affected by contractual obligations such as insurance; and
- D) determining the amount or degree of any other changes affecting routes, students, and cost factors related to transportation.

3) The district shall identify those elements of cost delineated in subsection (c) of this Section that will be affected by the anticipated changes and shall project the changes in such costs.

4) The district shall estimate the costs associated with replacement of existing capital assets and purchase of new capital assets to accommodate projected changes in the level of services needed.

5) The district shall accumulate the cost increases or decreases and the amortized capital cost increases or decreases over a period equal to the bid timeframe, adding the increase to or subtracting the decrease from the cost for the base year and displaying this addition or subtraction by item of cost.

6) The district shall apply a cumulative inflation factor to each year beyond the base year.

(Source: Added at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Minimum Standards for Certification of Developmental Training Programs

2) Code Citation: 59 Ill. Adm. Code 119

3) Section Numbers: Proposed Action:
119.330 Amended

4) Statutory Authority: Implementing and authorized by Section 15.2 of the Department of Mental Health and Developmental Disabilities Act (20 ILCS 1705/15.2).

5) A Complete Description of the Subjects and Issues Involved: Section 119.330 is being amended to reference the Department's new rule at 59 Ill. Adm. Code 101.70, Conduct of hearings and appeals (20 Ill. Reg. 7276, May 24, 1996), which is being adopted effective October 10, 1996 and appears elsewhere in this issue of the Illinois Register. With the adoption of the rulemaking at 59 Ill. Adm. Code 101.70, the appeals and hearings procedures in 59 Ill. Adm. Code 113, 115 and 119 are no longer necessary. These amendments will now crossreference the appeals and hearings procedures at 59 Ill. Adm. Code 101.70.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No. This rule does not incorporate by reference any federal statutes or regulations or rules of another State agency.

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act [30 ILCS 805].

11) NTime, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to:

Judith Hollenberg
Rules Administrator
Illinois Department of Mental Health
and Developmental Disabilities
401 Stratton Building
Springfield, IL 62765

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

(217) 785-3313
FAX: 524-8920

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Private and not-for profit agencies which operate developmental training programs certified by the Department.
- B) Reporting, bookkeeping or other procedures required for compliance:
None required.
- C) Types of professional skills necessary for compliance: No special skills required.

- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: Although Part 119 was included in the July 1996 regulatory agenda, this specific amendment was not because the Department inadvertently failed to include it.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES

PART 119

MINIMUM STANDARDS FOR CERTIFICATION OF DEVELOPMENTAL TRAINING PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
119.100 Applicability
119.110 Incorporation by reference
119.120 Definitions

SUBPART B: PROGRAM REQUIREMENTS

Section
119.200 General requirements
119.205 Criteria for participation of individuals
119.210 Exclusion, suspension or discharge of an individual
119.215 Program staff
119.220 Interdisciplinary team (team)
119.225 Assessment of individuals
119.230 Individual services plan (plan)
119.235 Individual rights and confidentiality
119.240 Special training procedures
119.245 Committees
119.250 Medications and medical care
119.255 Environmental management
119.260 Administrative requirements

SUBPART C: CERTIFICATION REQUIREMENTS

Section
119.300 Issuing a certificate and period of certification
119.305 Application for certification
119.310 Application acceptance and verification
119.315 Non-transferability of a certificate
119.320 Cessation of operations
119.325 Certificate denial
119.330 Hearings

AUTHORITY: Implementing and authorized by Section 15.2 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/15.2].

SOURCE: Adopted at 14 Ill. Reg. 17227, effective October 9, 1990; emergency amendment at 16 Ill. Reg. 2662, effective February 1, 1992, for a maximum of 150 days; emergency expired June 30, 1992; amended at 20 Ill. Reg.

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

_____, effective _____.

Section 119.330 Hearings

- a) The Department may not deny or suspend a certificate unless the provider is given written notice of the grounds for the Department's action. Except when denial of a certificate is based on imminent risk as described in Section 119.325, the provider may operate and receive a reimbursement for services during the period preceding the hearing, until such time as a final decision is made.
- b) Hearings shall be conducted in accordance with the Department's rule at 59 Ill. Adm. Code 101.170, Conduct of hearings and appeals. The provider may appeal the Department's proposed action within 30 days after receipt of the Department's written notice by making a written request to the Director for a hearing.
- c) The Department shall schedule a hearing within 20 working days of receipt of the request for appeal. The provider shall be notified by registered mail not less than 14 days prior to the date of the hearing. The notice shall include the date, time and place of the hearing and a short statement of the issues to be decided.
- d) The hearing shall proceed and the notice shall be delivered in accordance with Section 10-25 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, Ch. 127, par. 1010-25).
- e) The Director shall appoint a hearing examiner to preside at the administrative hearing.
- f) At the hearing both parties may present written and oral evidence. The provider may be represented by the person of his or her choice. The Department shall have the burden of proving that there was substantial evidence of non-compliance with these standards. Substantial evidence is such evidence as a reasonable person can accept as adequate to support a conclusion.
- g) Evidence
- 1) The hearing officer shall not be bound by the rules of evidence or procedure but shall conduct the proceedings in a manner that ensures both parties are allowed to present their evidence and arguments fully and freely.
- 2) Any party or representative may ask questions of any other party or witness. Questions impeaching the witness's character or credentials shall be improper.
- h) The hearing officer shall issue his or her written decision within five working days after the hearing. The decision shall include a statement of facts about the appeal and the hearing officer's conclusions. Copies of the decision shall be sent to the provider and the Department.
- i) If the provider is not satisfied with the hearing officer's decision, it may request a review of the decision by the Director or a designee. The request must be made in writing to the Director no later than 10

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

- working days after receipt of the decision and must set out the reasons why the provider believes the decision was incorrect.
- j) Upon receipt of the request for review, the Director or designee shall review the hearing officer's decision and copies of all documents considered at the hearing. The Director shall uphold the decision if he or she determines that the procedures set out in this Section were properly followed and that the decision was supported by substantial evidence.
- k) The Director's or designee's decision shall constitute a final administrative decision.
- l) If the provider does not submit a request for a hearing or if after conducting the hearing the Department determines that the certificate should be denied, the Department shall issue an order to that effect within 30 days.
- m) If the Department's decision is to deny the certificate, it shall specify that the order takes effect upon receipt by the provider that the program shall not operate during the pendency of any proceeding for judicial review of the Department's decision under the provisions of the Administrative Review Law except under court order.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Minimum Standards for Licensure of Community Residential Alternatives
- 2) Code Citation: 59 Ill. Adm. Code 113
- 3) Section Numbers: 113.30
Proposed Action:
Amended
- 4) Statutory Authority: Implementing the Community Residential Alternatives Licensing Act [210 ILCS 140] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104], Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5] and Section 5 of the Community Residential Alternatives Licensing Act [210 ILCS 140/5].
- 5) A Complete Description of the Subjects and Issues Involved: Section 113.30 is being amended to reference the Department's new rule at 59 Ill. Adm. Code 101.70, Conduct of hearings and appeals (20 Ill. Reg. 7276, May 24, 1996), which is being adopted effective October 10, 1996 and appears elsewhere in this issue of the *Illinois Register*. With the adoption of the rulemaking at 59 Ill. Adm. Code 101.70, the appeals and hearings procedures in Part 59 Ill. Adm. Code, 113, 115 and 119 are no longer necessary. These amendments will now crossreference the appeals and hearings procedures in 59 Ill. Adm. Code 101.70.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No, this proposed amendment will not replace an emergency rule currently in effect.
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? This rulemaking does not incorporate by reference any federal statutes or regulations or rules of another State agency.
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act [30 ILCS 805].

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to:

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

Judith Hollenberg
Rules Administrator
Illinois Department of Mental Health
and Developmental Disabilities
401 Stratton Building
Springfield, Illinois 62765
Telephone: (217) 785-3313
FAX: (217) 524-8920

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Private and not-for-profit agencies which operate community residential alternatives licensed by the Department.
- B) Reporting, bookkeeping or other procedures required for compliance:
None required.
- C) Types of professional skills necessary for compliance: No special skills required.
- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: Although Part 113 was included in the July 1996 regulatory agenda, this specific amendment was not because the Department inadvertently failed to include it.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 113

MINIMUM STANDARDS FOR LICENSURE OF
COMMUNITY RESIDENTIAL ALTERNATIVES

Section

113.10	Definitions
113.15	Incorporation by reference
113.20	Application for license
113.30	Complaint procedures
113.40	Departmental inspections
113.45	Monitoring and evaluation
113.50	Administrative policies and practices
113.55	Accreditation
113.60	Personnel and staffing policies
113.70	Site, physical plant standards
113.80	Physical plant services
113.90	Food and nutrition services
113.100	Admission/discharge
113.110	Resident rights
113.120	Resident records
113.130	Resident living program
113.140	Unusual occurrences

AUTHORITY: Implementing and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104], Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5] and Section 5 of the Community Residential Alternatives Licensing Act [210 ILCS 140/5].

SOURCE: Emergency rule adopted and codified at 6 Ill. Reg. 7239, effective June 8, 1982, for a maximum of 150 days; adopted at 7 Ill. Reg. 1054, effective January 19, 1983; amended at 17 Ill. Reg. 21387, effective November 29, 1993; amended at 20 Ill. Reg. _____, effective _____.

Section 113.30 Complaint procedures

- a) Any person, agency, association or governmental body may file a complaint with the Department alleging that a community residential alternative is in violation of the Community Residential Alternatives Licensing Act or this Part of the rules promulgated pursuant to the Act.
- b) The Department may conduct an investigation in order to determine if the community residential alternative is in compliance. If, based on the results of its investigation, the Department determines that the

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

community residential alternative is not in compliance, it shall promptly serve a notice of violation on upon the licensee. Such notice of violation shall comply with the requirements described in subsection (2) of Section 8 of the Act. The Department may notify the complainant of its findings.

- c) The complaint, a copy of the complaint, or a record published, released or otherwise disclosed to the community residential alternative shall not disclose the name of the complainant unless the complainant consents in writing to the disclosure or the investigation results in a judicial proceeding, or unless disclosure is essential to the investigation.
- d) A licensee or its agents shall not transfer, discharge, evict, harass, dismiss, or retaliate against a resident or an employee or agent who files a complaint under Section 10 of the Act or who testifies under Section 12 of the Community Residential Alternatives Licensing Act because of the complaint or testimony.
- e) Any person participating in good faith in the making of a complaint, or in the investigation of such a complaint shall not be deemed to have violated any privileged communication and shall have immunity from any liability, civil, criminal or that otherwise might result as a consequence of making such a complaint. The good faith of any person making a complaint or participating in the investigation of such a complaint shall be presumed. (Section 10 of the Act)
- f) Final administrative decisions shall be subject to judicial review exclusively as provided in the Administrative Review Law [735 ILCS 5/Art. III] (111 Rev. Stat. 1981, ch. 110, par. 3-101 et seq.), except that any petition for judicial review of Department action under the Community Residential Alternatives Licensing Act shall be filed within 15 days after receipt of notice of the final agency determination.
- g) The term "administrative decision" has the meaning ascribed to it in Section 3-101 of the Administrative Review Law. The court may stay enforcement of the Department's final decision if a showing is made that there is a substantial probability that the party seeking review will prevail on the merits and will suffer irreparable harm if the stay is not granted, and that the facility will meet the requirements of the Community Residential Alternatives Licensing Act and the rules promulgated under the Act during such stay. (Section 12(3) of the Act)
- h) Hearings shall be conducted in accordance with the Department's rule at 59 Ill. Adm. Code 101.70, Conduct of hearings and appeals. The Director or hearing officer may compel by subpoena or subpoena duces tecum the attendance and testimony of witnesses and the production of books and papers and administer oaths to witnesses. All subpoenas issued by the Director or hearing officer may be served as provided for in civil actions. The fees of witnesses for attendance and travel shall be the same as the fees for witnesses before the circuit court and shall be paid by the party to such proceeding at whose request the subpoena is issued. If such subpoena is issued at the request of the

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

- Department--or--by--a--person--proceeding--in--forma--pauperis--the--witness--fee--shall--be--paid--by--the--Department--as--an--administrative--expense--*
- h) *the--Department--shall--inform--a--complainant--of--its--findings--within--10--days--of--its--determination--unless--otherwise--indicated--by--the--complainant--and--the--complainant--may--direct--the--Department--to--send--a--copy--of--such--findings--to--another--person--*
- i) *the--notice--of--findings--shall--include--a--copy--of--the--written--determination--the--correction--order--if--any--the--warning--notice--is--listed--*
- j) *A--written--determination--correction--order--or--warning--notice--concerning--a--complaint--shall--be--available--for--public--inspection--but--the--name--of--the--complainant--or--resident--shall--be--disclosed--without--the--resident's--or--the--complainant's--consent--*
- k) *A--resident--and/or--guardian--shall--be--permitted--to--present--grievances--on--behalf--of--himself--and--others--*

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Standards and Licensure Requirements for Community-Integrated Living Arrangements
- 2) Code Citation: 59 Ill. Adm. Code 115
- 3) Section Numbers: Proposed Action: Amended 115.470
- 4) Statutory Authority: Implementing the Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5].
- 5) A Complete Description of the Subjects and Issues Involved: Section 115.470 is being amended to reference the Department's new rule at 59 Ill. Adm. Code 101.70, Conduct of hearings and appeals (20 Ill. Reg. 7276, May 24, 1996), which is being adopted effective October 10, 1996 and appears elsewhere in this issue of the *Illinois Register*. With the adoption of the rulemaking at 59 Ill. Adm. Code 101.70, the appeals and hearings procedures in Parts 59 Ill. Adm. Code 113, 115 and 119 are no longer necessary. These amendments will now crossreference the appeals and hearings procedures in 59 Ill. Adm. Code 101.70.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not have an impact under the State Mandates Act [30 ILCS 805].
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to:

Judith Hollenberg
Rules Administrator
Illinois Department of Mental Health
and Developmental Disabilities
401 Stratton Building
Springfield, IL 62765

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

(217) 785-3313

FAX: (217) 524-8920

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Private and not-for-profit agencies which operate community-integrated living arrangements licensed by the Department.

B) Reporting, bookkeeping or other procedures required for compliance: None required.

C) Types of professional skills necessary for compliance: No special skills required.

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: Although Part 115 was included in the July 1996 regulatory agenda, this specific amendment was not because the Department inadvertently failed to include it.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

TITLE 59: MENTAL HEALTH

CHAPTER I: DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

PART 115

STANDARDS AND LICENSURE REQUIREMENTS FOR COMMUNITY-INTEGRATED LIVING ARRANGEMENTS

SUBPART A: GENERAL PROVISIONS

Section
115.100 Purpose
115.110 Incorporation by reference
115.120 Definitions

SUBPART B: SERVICE REQUIREMENTS

Section
115.200 Description
115.210 Criteria for participation of individuals
115.215 Criteria for termination of individuals
115.220 Community support team
115.230 Interdisciplinary process
115.240 Medical services and medications
115.250 Individual rights and confidentiality

SUBPART C: GENERAL AGENCY REQUIREMENTS

Section
115.300 Environmental management of living arrangements
115.310 Geographic location of community-integrated living arrangements
115.320 Administrative requirements
115.325 Monitoring and evaluation
115.330 Accreditation

SUBPART D: LICENSURE REQUIREMENTS

Section
115.400 Applicability
115.410 Issuing a license and period of licensure
115.420 License application
115.430 Application acceptance and verification
115.440 Non-transferability of license
115.450 Cessation of operations
115.460 License revocation
115.470 Hearings

APPENDIX A Specific Level of Functioning Assessment and Physical Health Inventory

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

AUTHORITY: Implementing the Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Department of Mental Health and Developmental Disabilities Act [210 ILCS 1705/5].

SOURCE: Adopted at 14 Ill. Reg. 10865, effective July 1, 1990; emergency amendment at 14 Ill. Reg. 20550, effective December 5, 1990, for a maximum of 150 days; emergency expired May 18, 1991; amended at 15 Ill. Reg. 8560, effective May 24, 1991; emergency amendment at 16 Ill. Reg. 2676, effective February 1, 1992, for a maximum of 150 days; emergency expired on June 30, 1992; amended at 17 Ill. Reg. 21434, effective November 29, 1993; amended at 20 Ill. Reg. _____, effective _____.

SUBPART D: LICENSURE REQUIREMENTS

Section 115.470 Hearings

a) A license may not be denied or revoked unless the agency is given written notice of the grounds for the Department's action. Except when revocation of a license is based on imminent risk as described in Section 115.460(c), the agency program whose license has been revoked may operate and receive reimbursement for services during the period preceding the hearing, until such time as a final decision is made.

b) Hearings shall be conducted in accordance with the Department's rule at 59 Ill. Adm. Code 101.70, Conduct of hearings and appeals. The agency may appeal the Department's proposed action by making a written request to the Director for a hearing within 15 days after receipt of the Department's written notice.

c) The Department shall schedule a hearing within 20 working days of receipt of the request for appeal. The agency shall be notified by registered mail not less than 14 days prior to the date of the hearing. The notice shall include the date, time and place of the hearing and a short statement of the issues to be decided.

d) The hearing shall be conducted by a hearing officer authorized by the Director to conduct such hearings.

e) At the hearing both parties may present written and oral evidence. The Department shall have the burden of proving that there was substantial evidence of non-compliance with these standards. Substantial evidence is such evidence as a reasonable person can accept as adequate to support a conclusion. It consists of more than a scintilla of evidence but somewhat less than a preponderance. The hearing officer shall issue his or her written decision within five working days after the hearing. The decision shall include a statement of facts about the appeal and the hearing officer's conclusions. Copies of the decision shall be sent to the agency and the Department.

g) If the agency is not satisfied with the hearing officer's decision, it

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

may request a review of the decision by the Director or designee. The request must be made in writing to the Director no later than 10 working days after receipt of the decision.

h) Upon receipt of the request for review, the Director or designee shall review the hearing officer's decision and copies of all documents considered at the hearing. Within 20 working days of receipt of the request for review, the Director or designee shall issue a written decision upholding or reversing the hearing officer's decision. Copies of the decision shall be sent to the Department and the agency.

i) The Director's or designee's decision shall constitute a final administrative decision.

j) If the agency does not request a hearing or, if after conducting a hearing, the Department determines that the license should be denied or revoked, the Department shall issue an order to that effect.

k) If the Department's order is to deny or revoke the license, it shall specify that the order takes effect upon receipt by the agency and that living arrangements shall not operate during the pendency of any proceeding for judicial review of the Department's decision except under court order.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Treatment and Habilitation Services
- 2) Code Citation: 59 Ill. Adm. Code 112
- 3) Section Numbers:
112.5 Proposed Action:
112.30 New Section Amended
- 4) Statutory Authority: Implementing Sections 3-207, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/3-207, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5].
- 5) A Complete Description of the Subjects and Issues Involved: Section 112.5 is being added to simplify the use of incorporation by reference in this Part.

Section 112.30 is being amended to clarify the requirement for the dental examination which is to be performed on persons admitted to Department facilities.

In addition, technical changes have been made to update references to Department forms and statutory citations.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? This rulemaking incorporates by reference the standards of nationally known accrediting organizations, State statutes and regulations.
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act [30 ILCS 805].
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to:

Judith Hollenberg
Rules Administrator

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

Department of Mental Health and
Developmental Disabilities
401 Stratton Building
Springfield, IL 62765
(217) 785-3313
FAX: (217) 524-0835

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None. This rulemaking affects only State-operated facilities.
- B) Reporting, bookkeeping or other procedures required for compliance: Clinical recordkeeping guidelines which are to be followed are contained in the Department Clinical Records Guidelines.
- C) Types of professional skills necessary for compliance: Activities required by this rulemaking are performed by physicians, dentists and/or dental technicians.
- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: Amendments to Part 112 were summarized on the January and July 1996 regulatory agendas. However, the specific Sections included in this rulemaking were not included on either agenda because the Department did not anticipate proposing the addition of Section 112.5 and the amendment of Section 112.30.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 112

TREATMENT AND HABILITATION SERVICES

Section

- 112.5 Incorporation by reference
112.10 Utilization review hearings
112.20 Admission, treatment and habilitation of mentally retarded persons
112.30 Recipient physical and dental examinations and informed consent for services
112.40 Release and burial of deceased recipients
112.50 Tuberculosis control program (Repealed)
112.70 Protection of human subjects
112.80 Use of narcotics and psychotropic drugs in Department facilities
112.90 Administration of psychotropic drugs

AUTHORITY: Implementing Sections 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709] and Sections 5.1 and 7 of the Department of Mental Health and Developmental Disabilities Act [405 ILCS 1705/5.1 and 7] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5].

SOURCE: Release and Burial of Deceased Patients adopted October 1, 1969; Tuberculosis Control Program adopted May 28, 1975; Protection of Human Subjects adopted October 2, 1973; Use of Narcotics and Psychotropic Drugs in Department Facilities adopted July 1, 1974; amended at 3 Ill. Reg. 28, p. 90, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; Administration of psychotropic drugs adopted June 14, 1974; amended at 3 Ill. Reg. 28, p. 100, effective July 16, 1979; amended at 4 Ill. Reg. 17, p. 234, effective April 15, 1980; rules merged and codified at 5 Ill. Reg. 10725; amended at 9 Ill. Reg. 12785, effective August 1, 1985; amended at 10 Ill. Reg. 11894, effective July 1, 1986; amended at 13 Ill. Reg. 20344, effective December 19, 1989; amended at 20 Ill. Reg. _____, effective _____.

Section 112.5 Incorporation by reference

Any rules or standards of an agency of the United States or of a nationally recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified and do not include any later amendments or editions.

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 112.30 Recipient physical and dental examinations and informed consent for services

To provide the highest possible quality of humane and rehabilitative care and treatment for all recipients in the care of the Department and to promote public health and safety, all recipients in Department facilities shall receive comprehensive physical and dental examinations.

a) Physical examination

1) Each person admitted to the Department in accordance with the Code [405 ILCS 5] ~~shall have a thorough physical examination on admission and annually thereafter (see Section 1-119(2) of the Code).~~ ~~Persons with mental illness shall be examined within 24 hours in accordance with the Mental Health Standards (Joint Commission on Accreditation of Healthcare Organizations (JCAHO)).~~ ~~One Renaissance Boulevard, Oakbrook Terrace, Illinois 60681, 1995) or the Accreditation Manual for Hospitals (Joint Commission on Accreditation of Healthcare Organizations (JCAHO), One Renaissance Boulevard, Oakbrook Terrace, Illinois 60681, 1996).~~ ~~In accordance with standards of the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), mental health persons shall be examined within 24 hours (Consolidated Standards Manual, published by JCAHO, July 17, 1989, with no later editions or amendments or Accreditation Manual for Hospitals, published by JCAHO, January 17, 1989, with no later editions or amendments).~~ In accordance with 77 Ill. Adm. Code 350 (Intermediate Care for the Developmentally Disabled Facilities Code) (ICFDD), persons with developmentally disabilities ~~developmentally disabled persons~~ shall be examined within 72 hours. This requirement may be waived in the judgment of the admitting physician only if such an examination was done within three days prior to admission and the results are received by the facility and are entered into the recipient's clinical record.

A) The examination shall include an evaluation of the recipient's condition, including height, weight, blood pressure and vital signs, diagnoses, plan of medical treatment, recommendations for care, including personal care needs, treatment orders, permission for participation in activity programs, as appropriate, and any other examinations that are required by the accrediting agencies cited in subsection (a)(1) of this Section above, as well as the Standards for Services for People with Developmental Disabilities ~~published by the Accreditation Council for on Services for People with Developmental Disabilities (Council) 8100 Professional Place, Suite 204, Landover,~~

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

Maryland 20785, 1990) ~~ACBBP-1987-with-no-later-editions-or amendments~~. The examination shall also include a visual check of the oral cavity, including lips, teeth, gums and tongue. Referral to a dental hygienist or dentist shall be completed if clinically indicated. Plans of medical treatment, recommendations for care and treatment orders shall be recorded in the recipient's individualized services plan as defined in Sections 3-209 and 4-309 of the Code.

B) The presence or absence of communicable or infectious diseases shall be noted by the examining physician with recommendations given for curing or controlling the disease, as applicable. Communicable or infectious diseases shall be reported in accordance with Department of Public Health rules:

- i) 77 Ill. Adm. Code 690 (Control of Communicable Diseases Code);
- ii) 77 Ill. Adm. Code 693 (Control of Sexually Transmissible Diseases Code); and
- iii) 77 Ill. Adm. Code 697 (AIDS Confidentiality and Testing Code).

2) An electrocardiogram (EKG) shall be provided within three days after admission, excluding Saturdays, Sundays, and holidays, for any recipient age 40 or over, except that an admission EKG need not be repeated on readmission if one was provided within the previous 12 months during a prior admission, unless otherwise clinically indicated by the examining physician.

3) A Papanicolaou (Pap) smear uterine cytologic examination for cancer shall be offered to all female recipients admitted or readmitted to a Department facility who are 20 years of age and over, or under 20 years of age if sexually active, unless the examining physician considers the examination contraindicated, the examination has been performed within the previous year and the results were normal, or the examination is refused by the recipient on the counsel of the examining physician or on her own judgment. Results of tests performed outside the facility shall be obtained and entered into the recipient's clinical record. A Pap smear uterine cytologic examination shall be offered and recommended annually. The examining physician shall document in the recipient's clinical record the results of the Pap smear, whether or not the test was contraindicated, or that the recipient refused the examination.

4) In the event that the recipient's psychiatric, behavioral, or medical condition is such that the physical examination as described in subsection (a)(1)(A) of this Section cannot be completed within the times stated in subsection (a)(1) of this Section above, the examining physician may extend the time frame until the recipient's condition has improved to allow the completion of the examination. Every 72 hours the examining

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

physician shall record in the recipient's clinical record the condition preventing a complete physical examination and the continuation of the recipient's condition until the physical examination has been completed. If the recipient's physical examination is delayed in excess of 30 days, such delay shall require notice from the examining physician to the facility director, and a special conference of the treatment team to identify a course of action designed to protect the recipient from inappropriate treatment based on inadequate information.

b) Dental examination

1) Persons with developmental disabilities ~~Each person--admitted--to the--Department--in--accordance--with--the--Code~~ shall have a comprehensive diagnostic dental examination, including extra- and intra-oral examinations within 30 calendar days after admission, unless the admitting physician waives this requirement. The admitting physician shall record the reason for the waiver in the recipient's clinical record.

A) The examination report shall include an evaluation of the recipient's dental condition, diagnoses, plan of treatment, recommendations for oral health care and dental hygiene, and treatment orders.

B) The physician may extend the time for conduct of the dental examination; however, the physician must record the reason for the extension in the recipient's clinical record. If the recipient's dental examination is delayed in excess of 30 days, such delay shall require notice from the examining physician to the facility director, and a special conference of the treatment team to identify a course of action designed to protect the recipient from inappropriate treatment based on inadequate information.

2) Persons with mental illness shall have a comprehensive diagnostic dental examination, including extra- and intra-oral examinations, within six months after admission. If the recipient's condition is such that a dental examination is necessary less than six months after admission, a referral to a dentist or dental hygienist shall be made.

c) Schedule for examinations and treatment plan

1) Physical examinations shall be repeated annually. In accordance with Section 7 of ~~AN-Act-codifying-the-powers-and-duties-of~~ the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/7], dental examinations shall be repeated every 18 months for ~~mentally-ill~~ recipients with mental illness while residing in Department facilities. In accordance with the Standards for Services for People with Developmental Disabilities (Accreditation Council for on Services for People with Developmental Disabilities, 8100 Professional Place, Suite 204, Landover, Maryland 20785, 1990 ~~1987, with-no-later-editions-or amendments~~), dental examinations shall be repeated annually for

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

~~developmentally---disabled~~ recipients with developmental disabilities while residing in Department facilities. These examinations shall be performed by a licensed dentist or a registered hygienist and shall be independent of periodic reviews such as the use of medications, blood levels of drugs and gingivitis checks.

2) If a recipient has been in the facility or is transferred from another facility, the receiving facility shall perform comprehensive diagnostic examinations if the individualized services plan does not provide a treatment plan for medical and dental services for the recipient.

3) On ~~upon~~ completion of the comprehensive diagnostic examinations, a treatment plan for any medical and dental services shall be established as part of the recipient's individualized services plan.

A) Such a plan will include procedures to address the special dental care needs of recipients who receive medication known to promote tooth decay or gum disease.

B) Such a plan will include a procedure to address the prevention and treatment of tardive dyskinesia.

d) Informed consent

Informed consent is defined as permission for a procedure freely granted by a person or persons authorized by law to give consent to services and treatment plans, i.e., the recipient, guardian (if the recipient is under guardianship) or parent (if the recipient is under age 18). Informed consent is based on the full disclosure to the authorized person of the information required to make the decision intelligently, including a description of the procedure, the possible benefits and the risks and the alternative(s) to the procedure.

1) For the purposes of this Section, the person(s) authorized to give consent shall be informed of the treatment plan for medical and dental services, and shall be provided with the information necessary to give informed consent. The documented agreement to the individualized services plan will obviate the need for specific agreement to the treatment plan for medical and dental services.

2) The person(s) authorized to give consent shall be informed of the method whereby he or she can exercise the right to refuse medical and dental services.

3) For services listed below, the person(s) authorized to give consent shall be informed that if an objection is not received prior to performance of services, consent shall be implied for the treatment plan:

A) Dental - preventive procedures (such as prophylaxis, topical fluoride, periodontal scaling, and gingival curettage,) and restorative procedures (such as, fillings and local anesthesia).

B) Medical - non-psychotropic medication, endoscopy not

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT

involving anesthesia, exercise regimens and sutures.

4) A written consent, signed by the person authorized to give consent, shall be required for all other procedures, including general anesthesia, surgery (both medical and dental) and radiation therapy. The written consent shall be specific to the procedure or course of therapy to be used and shall only apply to a particular procedure performed at a particular time or to a course of therapy of which the procedure is a part. An additional consent shall be obtained for each subsequent procedure. A consent authorizing a specific Department staff person to perform a procedure is specific to that staff person.

5) If consent is denied by the person authorized to consent, medical or dental procedures shall not be provided except pursuant to subsection (d)(6) of this Section below. Such refusal shall be documented in the recipient's clinical medical record.

6) In accordance with Section 2-111 of the Code, when a medical or dental emergency exists, if the physician or licensed dentist who examines the recipient determines that the recipient is not capable of giving informed consent, essential medical or dental procedures may be provided without consent. No physician nor licensed dentist shall be liable for a non-negligent good faith determination that a medical or dental emergency exists. The nature of the emergency shall be documented in the recipient's clinical medical record and notice shall be given to the recipient, the legal guardian or parent(s).

e) Communicating examination findings
Significant or negative examination findings obtained from the recipient's physical examination results of laboratory tests as they become known shall be communicated to the recipient or, if the recipient is under guardianship, to the recipient's guardian, or, if the recipient is a minor to the recipient's parent or guardian. The fact that such findings were communicated to the recipient, parent or guardian shall be documented in the recipient's clinical medical record.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Food Stamps

2) Code Citation: 89 Ill. Adm. Code 121

3) Section Numbers: Proposed Action:
121.182 Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and H. R. 3448 (P. L. 104-188)

5) Complete Description of the Subjects and Issues Involved: The Department is revising its food stamp rules based on the new requirements under the Minimum Wage Increase Act of 1996, H.R. 3448 (P.L. 104-188), which was enacted on August 20, 1996. These proposed amendments enable the Department to increase Earnfare participants' overall benefit level by raising the maximum amounts Earnfare participants can earn each month in relation to the increases in the federal minimum wage.

Recently, the United States Senate approved a 90-cent increase in the federal minimum wage. This increase will affect many workers throughout the nation including volunteers participating in the Earnfare program. This increase will raise the minimum wage of \$4.25 per hour in two increments:

- effective October 1, 1996, the federal minimum wage was increased by .50¢ per hour to \$4.75; and
- effective September 1, 1997, the federal minimum wage will be increased by .40¢ per hour to \$5.15.

As authorized by P. A. 87-893, "Persons participating in Earnfare shall engage in employment-assigned activities equal to the amount of food stamp benefits divided by the federal minimum wage and subsequently earn minimum wage for each additional hour in Earnfare activity...up to \$231 per month". Recently, the Food and Consumer Service (FCS) increased the maximum monthly food stamp allotment for a single individual from \$119 to \$120. In order to minimize the impact of this and future FCS increases in food stamp allotments, effective August 14, 1996, at 20 Ill. Reg. 11935, the Department standardized the Earnfare work-off maximum at 26 hours by rule.

Currently, an Earnfare participant may work up to 80 hours per month and earn up to \$231 per month. At the same time the minimum wage is increasing, the Department must also plan for implementation of federal reform which will limit food stamp benefits for single individuals, ages 18-50, to three out of 36 months, unless the client:

- is exempt from meeting the work requirement;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- is employed 20 hours per week; or
- participates in and complies with workfare.

The increase in the federal minimum wage will have a substantial impact on the Earnfare program and the clients the Department serves. As a result of this rulemaking, effective October 1, 1996, the date the federal minimum wage was increased to \$4.75 per hour, an individual participating in Earnfare will be able to earn a maximum of \$261 per month. Effective September 1, 1997, when the federal minimum wage is increased to \$5.15 per hour, an individual participating in Earnfare will be able to earn a maximum of \$294 per month.

The work-off amount for food stamp benefits, based on the increases in federal minimum wage, will be as follows:

Federal Minimum Wage	Food Stamp Hours Worked	Potential Earnfare Hours		Maximum Monthly Earnfare Wages	
		Hours	Worked	Hours	Wages
\$4.25 (previous)	26	54	80	80	\$231
\$4.75 (10/96)	25	55	80	80	\$261
\$5.15 (9/97)	23	57	80	80	\$294

6) Will these proposed amendments replace emergency amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
121.7	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.20	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.22	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.23	New Section	August 2, 1996 (20 Ill. Reg. 10263)
121.24	New Section	August 2, 1996 (20 Ill. Reg. 10263)
121.25	New Section	August 2, 1996 (20 Ill. Reg. 10263)
121.26	New Section	August 2, 1996 (20 Ill. Reg. 10263)
121.27	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.29	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.30	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.31	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.31	Amendment	August 2, 1996 (20 Ill. Reg. 10263)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

121.31	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.50	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.57	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.60	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.61	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.63	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.63	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.64	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.70	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.71	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.75	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.93	Amendment	August 30, 1996 (20 Ill. Reg. 11581)
121.94	Amendment	August 30, 1996 (20 Ill. Reg. 11581)
121.98	New Section	August 30, 1996 (20 Ill. Reg. 11581)
121.131	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.151	Amendment	October 11, 1996 (20 Ill. Reg. 13151)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Ave. E., 3rd Floor
Springfield, Illinois 62762
Phone: (217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not for profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not for profit corporations as part of any written comments they submit to the Department.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Entities that qualify as small businesses, small municipalities and not for profit corporations under Section 1-75, 1-80 and 1-85 of the IAPA [5 ILCS 100/1-75, 1-80, 1-85].

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The reasons for this rulemaking are fully described above in the complete description of the subjects and issues involved. This rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page _____.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

1) Heading of the Part: Alcoholism and Substance Abuse Treatment and Intervention Licenses

2) Code Citation: 77 Ill. Adm. Code 2060

3) Section Numbers: Adopted Action:

2060.101 New Section
 2060.103 New Section
 2060.201 New Section
 2060.203 New Section
 2060.205 New Section
 2060.207 New Section
 2060.209 New Section
 2060.211 New Section
 2060.213 New Section
 2060.215 New Section
 2060.217 New Section
 2060.219 New Section
 2060.221 New Section
 2060.223 New Section
 2060.225 New Section
 2060.227 New Section
 2060.301 New Section
 2060.303 New Section
 2060.305 New Section
 2060.307 New Section
 2060.309 New Section
 2060.311 New Section
 2060.313 New Section
 2060.315 New Section
 2060.317 New Section
 2060.319 New Section
 2060.321 New Section
 2060.323 New Section
 2060.325 New Section
 2060.327 New Section
 2060.329 New Section
 2060.331 New Section
 2060.333 New Section
 2060.335 New Section
 2060.337 New Section
 2060.339 New Section
 2060.341 New Section
 2060.401 New Section
 2060.403 New Section
 2060.405 New Section
 2060.407 New Section
 2060.409 New Section

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

2060.411 New Section
 2060.413 New Section
 2060.415 New Section
 2060.417 New Section
 2060.419 New Section
 2060.421 New Section
 2060.423 New Section
 2060.425 New Section
 2060.427 New Section
 2060.501 New Section
 2060.503 New Section
 2060.505 New Section
 2060.507 New Section
 2060.509 New Section

4) Statutory Authority: Implementing the Alcoholism and Other Drug Dependency Act [20 ILCS 301].

5) Effective Date of Rule(s): October 3, 1996

6) Do these rulemakings contain an automatic repeal date? No

7) Do these rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: October 3, 1996

9) Notice(s) of Proposal Published in Illinois Register: May 24, 1996

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: Clarified good cause for granting an exception and all other grammatical changes recommended by JCAR.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s): This new rule incorporates all licensing regulations for substance abuse treatment and intervention programs previously contained in Parts 2056 and 2058 (under repeal). It also includes new requirements for treatment programs relative to professional staff requirements, quality improvement, standardized treatment assessments utilizing patient placement criteria authorized by the American Society of Addiction Medicine (ASAM), specifications relating to

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

the provision of early intervention and treatment to individuals as a result of driving under the influence of alcohol and/or other drugs (DUI) and minimum standards for the operation of recovery homes (alcohol and drug free housing).

16) Information and questions regarding this adopted rule shall be directed to:

Norma J. Seibert
Illinois Department of Alcoholism and Substance Abuse
222 South College, 2nd Floor
Springfield, IL 62704
(217) 782-0685
TDD: (217) 524-5103

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER d: LICENSURE

PART 2060

ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT
AND INTERVENTION LICENSES

SUBPART A: GENERAL REQUIREMENTS

Section	Applicability
2060.101	
2060.103	Incorporation by Reference and Definitions

SUBPART B: LICENSURE REQUIREMENTS

Section	Types of Licenses
2060.201	
2060.203	Off-Site Services
2060.205	Unlicensed Practice
2060.207	Organization Representative
2060.209	Ownership Disclosure
2060.211	License Application Forms
2060.213	License Application Fees
2060.215	Period of Licensure
2060.217	License Processing/Review Requirements
2060.219	Renewal of Licensure
2060.221	Change of Ownership/Management
2060.223	Dissolution of the Corporation
2060.225	Relocation of Facility
2060.227	License Certificate Requirements

SUBPART C: REQUIREMENTS - ALL LICENSES

Section	Federal, State and Local Regulations and Court Rules
2060.301	
2060.303	Rule Exception Request Process
2060.305	Facility Requirements
2060.307	Service Termination/Record Retention
2060.309	Professional Staff Qualifications
2060.311	Staff Training Requirements
2060.313	Personnel Requirements and Procedures
2060.315	Quality Improvement
2060.317	Service Fees
2060.319	Confidentiality - Patient Information
2060.321	Confidentiality - HIV Antibody/AIDS Status
2060.323	Patient Rights

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

2060.325 Patient/Client Records
2060.327 Emergency Patient Care
2060.329 Referral Procedure
2060.331 Incident and Significant Incident Reporting
2060.333 Complaints
2060.335 Inspections
2060.337 Investigations
2060.339 License Sanctions
2060.341 License Hearings

SUBPART D: REQUIREMENTS - TREATMENT LICENSES

Section
2060.401 Levels of Care
2060.403 Court Mandated Treatment
2060.405 Detoxification
2060.407 Group Treatment
2060.409 Patient Education
2060.411 Recreational Activities
2060.413 Medical Services
2060.415 Infectious Disease Control
2060.417 Patient Placement
2060.419 Assessment for Treatment Planning
2060.421 Treatment Plans
2060.423 Subsequent Patient Placement
2060.425 Progress Notes
2060.427 Discharge

SUBPART E: REQUIREMENTS - INTERVENTION LICENSES

Section
2060.501 General Requirements
2060.503 DUI Evaluation
2060.505 DUI Risk Education
2060.507 Designated Program
2060.509 Recovery Homes

AUTHORITY: Implementing and authorized by the Illinois Vehicle Code [625 ILCS 5] and the Alcoholism and Other Drug Dependency Act [20 ILCS 301].

SOURCE: Adopted at 20 Ill. Reg. **13519**, effective OCT 16 1996.

SUBPART A: GENERAL REQUIREMENTS

Section 2060.101 Applicability

This Part shall apply to all persons engaged in substance abuse treatment and

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

intervention as defined in Section 301/15-5 of the Illinois Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/15-5] and further defined in this Part.

Section 2060.103 Incorporation by Reference and Definitions

"Act" means the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301].

"Admission" means what occurs after a patient has completed an assessment, received placement into a level of care and been accepted for such treatment.

"Adolescent" means a person who is at least twelve years of age and under eighteen years of age.

"Adult" means a person who is eighteen years of age or older.

"Alcohol and Drug Evaluation Report Summary" means the form, developed by the Office of the Secretary of State and required for use by the Illinois courts when granting judicial driving privileges, as defined in Section 6-201 of the Illinois Driver Licensing Law [625 ILCS 5/6-201].

"Alcohol and Drug Evaluation Uniform Report" means the form, mandated by the Department and produced from the DUI Service Reporting System (DSRS), that is required to report a summary of the DUI evaluation to the circuit court or the Office of the Secretary of State.

"Americans with Disabilities Act of 1990 (ADA)" means that in accordance with 42 USC 12101 that public accommodations offer their services equally to persons without discrimination based on disabilities. An organization may not deny its services, offer unequal services or separate services, or have policies and procedures which have a discriminatory effect based on a disability, and shall remove barriers where possible and provide alternatives where not possible.

"ASAM Patient Placement Criteria" means the American Society of Addiction Medicine patient placement criteria for the treatment of psychoactive substance use disorders published as the American Society of Addiction Medicine (1996). Patient Placement Criteria for the Treatment of Substance-Related Disorders, Second Edition, (ASAM PPC-2). Chevy Chase, MD, The Society.

"Assessment" means the process of collecting and professionally interpreting data and information from an individual and/or collateral sources, with the individual's permission, about alcohol and other drug use and its consequences as a basis for establishing a diagnosis

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

of a substance use disorder, determining the severity of the disorder and comorbid conditions and identifying the appropriate level and intensity of substance abuse treatment, as well as needs for other services.

"Authorized Prescriber" means a physician licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987 [225 ILCS 60] or a physician under federal authority who issues prescriptions pursuant to 21 CFR 1301.25 (1987).

"Chemical Test" means, in the context of intervention services, a breath, blood or urine test that measures the blood alcohol concentration (BAC) and/or drug concentration.

"Client" means a person who receives intervention services as defined in this Part.

"Clinical Services" means substance abuse assessment, individual or group counseling, and discharge planning. The organization may also determine that other specified activities require the services of a professional staff member.

"Continuing Care Plan" means a plan developed with the patient prior to discharge that identifies recommended activities, support groups, referrals and any other necessary follow-up activities that will support and enhance patient progress, to date.

"Continuum of Care" means a structure of interlinked treatment services (either offered by one organization or through linkage agreements with other organizations) that is designed so a patient's changing needs will be met as that individual moves through the treatment and recovery process.

"Controlled Substance" means a drug or substance, or immediate precursor, which is enumerated in the Schedules of Article II of the Illinois Controlled Substances Act [720 ILCS 570] and in the Cannabis Control Act [720 ILCS 550].

"Department" means the Department of Alcoholism and Substance Abuse.

"Detoxification" means the process of withdrawing a person from a specific psychoactive substance in a safe and effective manner.

"Director" means the Director of the Department of Alcoholism and Substance Abuse.

"Discharge" means the point at which the patient's treatment is terminated either by successful completion or by some other action

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

initiated by the patient and/or the organization.

"Drunk and Drugged Driving Prevention Fund" means a special fund in the State Treasury created by Section 50-20 of the Alcoholism and Other Drug Abuse and Dependency Act out of which the Department may provide reimbursement for DUI evaluation and risk education services to indigent DUI offenders pursuant to this Part, and which it may also use to enhance and support its regulatory inspections and investigations.

"DUI" means driving while under the influence of alcohol, other drugs or combination thereof as defined in the Illinois Vehicle Title and Registration Law [625 ILCS 5/Ch. 2-5] or a similar provision of a local ordinance.

"DUI Evaluation" means the service provided to a person relative to a DUI offense in order to determine the nature and extent of the use of alcohol or other drugs as required by the Unified Code of Corrections [730 ILCS 5] and Section 6-206.1 of the Illinois Driver Licensing Law [625 ILCS 5/6-206.1].

"DUI Service Reporting System (DSRS)" means the computer software that shall be utilized to summarize all evaluation and risk education service statistics semi-annually and to produce the "Alcohol and Drug Evaluation Uniform Report" and other associated forms.

"Facility" means the building or premises which are used for treatment and intervention services as specified in this Part.

"Good Cause" means conditions that would prevent a reasonable licensee from meeting one or more of the requirements of this Part.

"Incident" means any action by staff or patients that led, or is likely to lead, to adverse effects on patient services because of a deviation from established patient care procedures.

"Indigency Fee" means a minimum of ten percent but no more than thirty percent of the rate established by the Department for the DUI evaluation or DUI risk education service and, if applicable, the difference between the fee charged for the service and the Department rate established for that service.

"Indigent DUI Offender" means anyone who has proven inability to pay the full cost of the DUI evaluation or risk education service as determined through criteria established by the U.S. Department of Health and Human Services and published in the Federal Register and whose uncollected costs for such DUI services may be reimbursed from the Drunk and Drugged Driving Prevention Fund.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

"Individual Counseling" means a therapeutic interaction between a patient and professional staff that includes but is not limited to the following: assessment of the patient's needs; development of a treatment plan to meet those identified needs; continual assessment of patient progress toward identified treatment plan goals and objectives; referral, if necessary; and discharge planning.

"Informed Consent" means a legally valid written consent by an individual or legal guardian which authorizes treatment, intervention or other services or the release of information about the individual, and which gives appropriate information to the individual so that he or she can authorize the service or disclosure with understanding of the consequences.

"Intervention" means activities or services which assist persons and their significant others in coping with the immediate problems of substance abuse or dependence and in reducing their substance use. Such services facilitate emotional and social stability and involve referring persons for treatment, as needed.

"Investigational New Drugs" means those substances which require approval by the U.S. Food and Drug Administration for trials with human subjects pursuant to 21 CFR 312 (1996).

"LAAM" means levo-alpha-acetyl-methadol which is a synthetic opioid agonist whose opioid effect is slower in onset and longer in duration (72 hours) than methadone and which is used in opioid maintenance therapy.

"Linkage Agreement" means a written agreement with an external organization to supplement existing levels of care and to arrange for other specialty services not directly provided by the organization.

"Methadone" means a synthetic narcotic analgesic drug (4,4-diphenyl-6-dimethylamino-heptanone-3-hydrochloride) which is used in opioid maintenance therapy.

"Mission Statement" means the reason for existence for the organization and/or specific setting or service.

"Opioid Maintenance Therapy (OMT)" means the medical prescription, medical monitoring and dispensing of opioid compounds (such as Methadone and LAAM) as a medical adjunct to substance abuse treatment.

"Off-Site Services" means licensable services which are conducted at a location separate from the licensed facility.

"Organization" means any public or private agency, corporation, unit

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

of State or local government or other legal entity acting individually or as a group which seeks licensure or is licensed to operate one or more substance abuse treatment or intervention services.

"Organization Representative" means the individual in whom authority is vested for the management, control and operation of all services at a facility and for communication with the Department regarding the status of the organization's license(s) at that facility.

"Patient" means a person who receives substance abuse treatment services as defined in this Part from an organization licensed hereunder.

"Person" means any individual, firm, group, association, partnership, corporation, trust, government or governmental subdivision or agency.

"Physician" means a person who is licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987 [225 ILCS 60].

"Practitioner" means a physician, dentist, podiatrist, veterinarian, scientific investigator, pharmacist, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise permitted by the United States pursuant to 21 CFR 1301.21 (1996) and this State to distribute or dispense in accordance with Section 312 of the Illinois Controlled Substances Act [720 ILCS 510], conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

"Professional Staff" means any person who provides clinical services or who delivers intervention services as defined in this Part.

"Psychiatrist" means a physician licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987 [225 ILCS 60] and who meets the requirements of the Mental Health and Developmental Disabilities Code [405 ILCS 5].

"Recovery Home" means alcohol and drug free housing authorized by an intervention license issued by the Department, whose rules, peer-led groups, staff activities and/or other structured operations are directed toward maintenance of sobriety for persons in early recovery from substance abuse or who recently have completed substance abuse treatment services or who may still be receiving such treatment services at another licensed facility.

"Relapse" means a process manifested by a progressive pattern of behavior that reactivates the symptoms of a disease or creates

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

debilitating conditions in an individual who has experienced remission from addiction.

"Residential Extended Care" (formerly halfway house) means residential clinical services for adults (17 year olds may be admitted provided that their assessment includes justification based on their behavior and life experience) or adolescents provided by professional staff in a 24 hour structured and supervised treatment environment. This type of service is primarily designed to provide residents with a safe and stable living environment in order to develop sufficient recovery skills.

"Revocation" means the termination of a treatment or intervention license, or any portion thereof, by the Department.

"Risk" means, in the context of intervention services, the designation (minimal, moderate, significant, or high) assigned to a person who has completed a substance abuse evaluation as a result of a charge for DUI which describes the person's probability of continuing to operate a motor vehicle in an unsafe manner. This assignment is based upon the following factors: the nature and extent of the person's substance use; chemical testing results; prior dispositions for DUI, statutory summary suspensions or reckless driving convictions reduced from a DUI; and any other significant dysfunction resulting from substance use or dependence.

"Significant Incident" means any occurrence at a licensed facility that requires the services of the coroner and/or which renders the facility inoperable.

"Significant Other" means the spouse, immediate family member, other relative or individual who interacts most frequently with the patient in a variety of settings and who may also receive substance abuse services.

"Substance Abuse or Dependence" means maladaptive patterns of substance use leading to a clinically significant impairment or distress as defined in the American Psychiatric Association: Diagnostic and Statistical Manual of Mental Disorders Fourth Edition (DSM-IV), Washington, DC, American Psychiatric Association, 1994.

"Support Staff" means the clerical, administrative, and management personnel who do not deliver clinical or intervention services.

"Transfer" means the process that occurs when a patient can no longer receive services at an organization because the appropriate level of care is not available, or the movement of the patient from one level of care to another within an organization's continuum of care.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

"Treatment" means a continuum of care provided to persons addicted to or abusing alcohol or other drugs that is designed to identify and change patterns of behavior that are maladaptive, destructive and/or injurious to health; or to restore appropriate levels of physical, psychological, and/or social functioning.

"Treatment Plan" means an individually written plan for a patient which identifies the treatment goals and objectives based upon a clinical assessment of the patient's individual problems, needs, strengths and weaknesses.

"Tuberculosis Services" means counseling the person regarding tuberculosis; testing to determine whether the person has been infected with mycobacteria tuberculosis to determine the appropriate form of treatment; and providing for or referring the infected person for appropriate medical evaluation and treatment.

"Utilization Review" means a quality protective function which attempts to ensure that the patient is receiving an appropriate level of services, in accordance with assessed clinical conditions. Utilization review activities focus primarily in four major areas: (1) the appropriateness and clinical necessity of admitting a patient to a level of care; (2) the appropriateness and clinical necessity of continuation of the initiated level of care; (3) the initiation and completion of timely discharge planning; and (4) the appropriateness and clinical necessity and timelines of support services.

SUBPART B: LICENSURE REQUIREMENTS

Section 2060.201 Types of Licenses

Substance abuse treatment and intervention services as specified in Section 2060.101 of this Part shall be licensed by the Department. An organization may apply for an intervention and a treatment license at the same facility and all services authorized by both an intervention and a treatment license shall be authorized by a single license issued to that facility. Consistent with rules herein, services may be provided to adults as well as adolescents. The license certificate for the facility shall specify all levels of care and a designation of adult and or adolescent services. Individuals who are 16 and 17 may be admitted as adults and individuals who are 18, 19 and 20 may be admitted as adolescents provided that the assessment of such individuals includes justification based on the person's behavior and life experience.

a) Treatment

A treatment license issued by the Department may authorize substance abuse services as established in the ASAM Patient Placement Criteria. The level of care and category (adolescent/adult) shall be specified on the license application or, after licensure, on any application to add an additional level of care and/or category (adolescent/adult).

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- b) Intervention
An intervention license issued by the Department may authorize the following services:

1) DUI Evaluation

Substance abuse evaluation services for persons who are charged with driving under the influence (DUI) offenses pursuant to the Illinois Vehicle Code [625 ILCS 5/11-501] or similar local ordinances that determine the offender's risk to public safety and make a subsequent corresponding recommendation for intervention to the Illinois courts or the Office of the Secretary of State.

2) DUI Risk Education

Substance abuse risk education services for persons who are charged with driving under the influence (DUI) offenses pursuant to the Illinois Vehicle Code [625 ILCS 5/11-501] or similar local ordinances.

3) Designated Program

A program designated by the Department to provide screening, assessment, referral and tracking services pursuant to Article 40 of the Act.

4) Recovery Homes

Alcohol and drug free housing with rules, peer-led groups, staff activities and/or other structured operations which are directed toward maintenance of sobriety for persons in early recovery from substance abuse or persons who have completed substance abuse treatment services or who may still be receiving such treatment at another licensed facility.

Section 2060.203 Off-Site Services

- a) Licensure shall be facility specific; however, treatment services may be offered off-site when good cause is established by the organization for an exception to be granted by the Department in accordance with Section 2060.303 of this Part and the criteria outlined in subsection (d) of this Section.

- b) The exception process for off-site services shall not apply to emergency situations where prior approval cannot be obtained or to services delivered in jails, schools or hospitals. However, in such cases, the rationale and location for the provision of the off-site service shall be documented in the patient record and any patient record utilized or stored at the off-site location shall be done so in accordance with the provisions specified in Section 2060.319 of this Part.

- c) In order to receive an exception for off-site services the licensed organization shall submit a request to the Department at least 30 calendar days prior to the anticipated provision of such services. The request shall include the following:

- 1) the legal name, address and telephone number of the off-site

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

location;

- 2) the services that will be provided at the off-site location;
3) the days of the week and hours when each service will be provided;
4) the legal name, address, telephone number and license number of the organization that will operate and provide supervision for the services;
5) the names of professional staff who will provide the services;
6) the reason for the provision of services at the off-site location; and
7) the numbers of individuals to be served.

- d) In determining whether the provision of off-site service shall be allowed, the Department shall consider, but not be limited to, appropriate factors such as:

- 1) the ability to provide the environment required for the level of care;
 - 2) the gravity of the reason that service at the licensed location is not acceptable (transportation requirements, sickness, etc.);
 - 3) availability of necessary support functions at the off-site location;
 - 4) ability to provide professional environment at the off-site location;
 - 5) physical safety of the patient; and
 - 6) compliance with applicable State and Federal regulations.
- e) The Department shall also be notified of any change in the provision of off-site services at least ten calendar days prior to any change in such services.
- f) Failure to report such information to the Department shall result in the unlicensed practice of services at such locations.

Section 2060.205 Unlicensed Practice

- a) Whenever the Department determines that an unlicensed person is engaging in activities which require licensure, pursuant to the specifications in Section 2060.101 of this Part, the Director shall issue an order to that person to cease and desist from engaging in the activity. The order shall specify the particular services which require licensure, and shall include citation of relevant Sections of the Act and this Part.

- b) The Department's order shall be accompanied by a notice which instructs the recipient that written documentation may be submitted to the Department within ten calendar days to support a claim that licensure is not required, or that the recipient is properly authorized to conduct the services.

- c) After the expiration of the ten day period, if the Department believes that the unlicensed person is continuing to provide services that require licensure, the matter shall be referred to the appropriate State's Attorney or to the Office of the Attorney General for

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

prosecution.

Section 2060.207 Organization Representative

- a) At each facility, one individual shall be designated by the organization as the authority for the management, control, and operation of all services relative to that facility and for communication with the Department regarding the status of the license for that facility. This person shall be known as the organization representative.
- b) The Department shall be notified, in writing, within ten calendar days, when there is a new designation of an organization representative.

Section 2060.209 Ownership Disclosure

- a) At the time of application for licensure, the names and addresses of all owners or controlling parties of the organization (whether they are individuals, partnerships, corporate bodies, or subdivisions of other bodies, such as public agencies or religious, fraternal, or other charitable organizations) shall be fully disclosed.
- b) In the case of corporations, the names and addresses of all officers, directors, and stockholders owning five percent or more of the stock of the corporation, either beneficial or of record, shall be disclosed.

Section 2060.211 License Application Forms

- a) An application for a license, an application to renew a license, an application to relocate a facility or an application to add an additional level of care or category (adolescent/adult) shall be made on forms specified by the Department. The organization shall provide any and all information requested on the application forms.
- b) Such forms may be obtained in person or by writing to:

Illinois Department of Alcoholism and Substance Abuse
160 N. LaSalle, Suite N700
Chicago, Illinois 60601
Attention: Division of Licensing and Monitoring
(312) 814-4718

or

Illinois Department of Alcoholism and Substance Abuse
222 S. College, 2nd Floor
Springfield, Illinois 62704
Attention: Division of Licensing and Monitoring
(217) 782-0685

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- c) An application for a license shall be signed and dated by the organization representative, and at least two of the corporate officers in the case of a corporate applicant, or by all partners or associates in the case of a partnership or association.

Section 2060.213 License Application Fees

- a) Application fees are due upon application for each facility license. Application fees are not refundable. Payment shall be made by check or money order made payable to the Department of Alcoholism and Substance Abuse. Payment shall not be in the form of U.S. currency, foreign currency, or stamps. A separate check or money order shall be submitted with each application.
- b) The application fee is \$200.00 for each facility license.
- c) Relocation of a facility requires submission of a relocation application and payment of the application fee.
- d) No application fee shall be required of any unit of local, State, or federal government.

Section 2060.215 Period of Licensure

- a) Each license issued by the Department shall be effective for a period of three years.
- b) At any time during this licensure cycle, an additional treatment or intervention service may be added at a facility at no extra cost.

Section 2060.217 License Processing/Review Requirements

- a) All licensure applications are deemed received by the Department on the postmarked date.
- b) The Department shall notify the organization regarding any error or omission found after review of the application. The organization shall submit all requested information within 90 calendar days after the date of the Department's notification. If the organization fails to submit all required information within this 90 day period, the entire application will be returned and the process will be terminated. To re-initiate the process after this 90 day period, the organization shall re-submit the corrected application and another application fee.
- c) The Department may verify the data furnished in any application for licensure. Submission of an application carries implied consent to permit inquiry into the data furnished when an examination of submitted information discloses an anomaly or disparity in the information in comparison to that on file with the Department or other data submitted by other organizations, or information about the organization, facility, staff and/or board of directors received by the Department.
- d) The Department may, either before or after the issuance of a license, request the cooperation of the State Fire Marshal, county health

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

departments, or local boards of health to make investigations if the Department is unable through its own resources to ascertain compliance with this Part.

- e) Prior to issuance or renewal of a license and upon receipt by the Department of evidence to the contrary, the Department may seek to verify that the physical, mental and professional capability and integrity of management, control and/or ownership personnel is sufficient to assure that the applicant can perform anticipated services with reasonable judgment, skill and safety. In determining such capability and integrity the Department may consider, but is not limited to, the following:

- 1) the accuracy of materials and information maintained and/or submitted in the course of the establishment or operation of the services;
 - 2) prior criminal conduct by personnel;
 - 3) prior violations of this Part or any other Department Rule by the organization or by personnel either as current employees of the organization applying for licensure or as employees of any other organization that has held or holds a license from the Department;
 - 4) competent evidence of emotional, psychological and/or physical impairment which may substantially interfere with the provision of services as licensed; or
 - 5) the timeliness of responses to the Department's reasonable requests for information from such personnel.
- f) The Department may investigate the background of staff members, if deemed necessary, to assure that these individuals satisfy applicable professional requirements and/or standards referenced in Sections 2060.309 and 2060.313 of this Part.

Section 2060.219 Renewal Of Licensure

- a) The Department shall send a license renewal application to each organization at least 60 calendar days prior to expiration of the license. The organization shall notify the Department if the license renewal application is not received.
- b) The Department shall receive the license renewal application at least 30 calendar days prior to expiration of the license in order to guarantee that the renewal process is complete prior to expiration.

Section 2060.221 Change of Ownership/Management

- a) Each license issued by the Department shall be valid only for the premises and persons named in the application. Licensure is not transferable. A license shall become null and void when:
 - 1) a change in ownership involving more than 25% of the aggregate ownership interest within a one year period or a significant change in management; or

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 2) a change of 50% or more in the board of directors of a not-for-profit corporation within a one year period.

- b) In order to obtain a new license reflective of the change in ownership the licensee shall submit to the Department:
 - 1) written notification at least ten calendar days prior to any of the above referenced changes in ownership; and
 - 2) an application for initial licensure and the license application fee of \$200 per license.

- c) Failure to notify the Department within ten calendar days relative to the above referenced changes in ownership will result in the imposition of a license fee of \$1000 for each affected license.

Section 2060.223 Dissolution of the Corporation

- a) A license shall become null, void and of no further effect when there is any dissolution of the corporation. Written notification shall be given to the Department within ten calendar days after such dissolution.

- b) A license issued to a corporation which is subsequently dissolved shall not be reactivated upon reinstatement of the corporation and the license is also subject to sanctions provided herein. Such corporation shall reapply for licensure.

- c) In order to obtain a new license relative to reinstatement of a corporation, an application for initial licensure and the license application fee of \$200 per license shall be submitted to the Department. If the Department was not notified within ten calendar days relative to the dissolution of the corporation the license fee will be \$1000 for each affected license.

Section 2060.225 Relocation of Facility

- a) Notification shall be given to the Department at least 30 calendar days prior to the relocation of any facility.

- b) An application shall be completed by the organization relative to each relocation.

- c) A relocation fee of \$200 per application is required unless proper notification, as referenced in subsection (a), was not given, in which case the relocation fee will be \$1000 per application.

Section 2060.227 License Certificate Requirements

- a) A license certificate shall be issued by the Department for each facility that reflects the type of license and the levels of care and category (adolescent/adult) authorized for that facility.

- b) The license certificate shall remain the property of the Department and shall be returned to the Department if there is a change in ownership, management, or location, or if the license is suspended, revoked or modified.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- c) The license certificate issued by the Department shall contain the name and address of the facility, license number, all levels of care and the category (adolescent/adult) authorized by that license and expiration date.
- d) The most current license certificate issued by the Department shall be displayed in the facility at all times in a location that is visible to all patients.

SUBPART C: REQUIREMENTS - ALL LICENSES

Section 2060.301 Federal, State and Local Regulations and Court Rules

All organizations shall attest to compliance, on the license application, and shall comply with all applicable provisions of State and federal constitutions, laws, regulations, court rules or judicial orders, including but not limited to:

- a) The Illinois Human Rights Act [775 ILCS 5]. The licensee shall also take affirmative action to ensure that no unlawful discrimination is committed;
- b) The Americans with Disabilities Act of 1990 (42 USC 12101) and the regulations and guidelines;
- c) The Environmental Barriers Act [410 ILCS 25] and The Illinois Accessibility Code (71 Ill Adm Code 400);
- d) The Age Discrimination Act of 1975 [42 USC 3001]; and
- e) The 1991 Civil Rights Act [42 USC 1981].

Section 2060.303 Rule Exception Request Process

- a) Requests for exceptions to any Section in this Part which is not statutorily mandated may be submitted to the Department. Such requests shall be made to the Director in writing, indicating the specific basis, rationale and need for the exception.
- b) The Director shall consider, but not be limited to, the following factors: the organization's patient or client population and size; type of services; geographic location; client or patient well-being if the exception is granted; and the specific geographic location of the organization.
- c) Exceptions to Sections that are not statutorily mandated may be requested; however, if a Section contains a specific exception provision, the specific provision shall control.
- d) The Department may revoke any exception granted where the circumstances which gave rise to the exception no longer exist. The Department shall be notified in writing no later than ten calendar days after the circumstances which gave rise to the exception no longer exist.
- e) An exception to any Sections shall be valid only for the term of the license under which it was granted. At the point of license renewal, reapplication for the exception shall be made.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Section 2060.305 Facility Requirements

- a) At the time of application for initial or renewal licensure, on a form supplied by the Department, full compliance with the following shall be documented:
 - 1) all local and State health, safety, sanitation, building and zoning codes;
 - 2) all applicable sections, as specified below, of the National Fire Protection Association's (NFPA) Life Safety Code of 1994 (National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269);
 - 3) the facility requirements specified in the Environmental Barriers Act [410 ILCS 25] and the Illinois Accessibility Code (71 Ill Adm Code 400); and
 - 4) the facility requirements specified in the Americans with Disabilities Act of 1990 (42 USC 12101).

- b) The days and hours of operation shall be posted at each facility where treatment or intervention services are provided. This information shall be displayed in a location that is visible to all persons.
- c) Each facility shall also:
 - 1) have a written emergency preparedness plan which ensures appropriate disaster preparedness and continuation of services, if possible, after a disaster. This plan shall contain provisions for a tornado and fire drill at least annually, identify the role of the facility in a community-wide disaster and have an emergency evacuation plan including provisions for disabled persons; and
 - 2) have areas for confidential interviewing, counseling, administration and public reception and waiting areas.

- d) Residential extended care facilities shall comply with the provisions specified in Chapter 20 (Lodging or Rooming Houses) of the National Fire Protection Association's (NFPA) Life Safety Code of 1994 for any building housing 16 or fewer residents and with the provisions specified in Chapter 17 (Existing Hotels and Dormitories) of the NFPA Life Safety Code of 1994 for any building housing 17 residents or more.

- e) Inpatient treatment facilities shall comply with the provisions specified in Chapter 16 (New Hotels and Dormitories) of the NFPA Life Safety Code of 1994.
- f) All existing outpatient treatment facilities shall comply with Chapter 27 (Existing Business Occupancies) of the NFPA Life Safety Code of 1994. Any outpatient treatment facility constructed after promulgation of this Part shall comply with Chapter 26 (New Business Occupancies) of the NFPA Life Safety Code of 1994.

- g) Organizations shall also ensure, as applicable:
 - 1) that each bedroom is kept clean and organized;
 - 2) that each bedroom is occupied only by those of the same sex, except in situations where children are in residence with a

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- parent in treatment;
- 3) a separate bedroom is provided for any 16 or 17 year old patient admitted to an adult inpatient service;
 - 4) a minimum of 80 square feet is provided in a single bedroom and 60 square feet per bed in a multi-bed room with no more than four beds per room;
 - 5) at least three feet of space is provided at the foot or head and one side of each bed and at least three feet between each bed;
 - 6) that bunk beds will not be used for any detoxification patient and all other beds shall be non-folding, at least 36 inches wide and have flame retardant mattresses;
 - 7) that each inpatient bedroom is an outside room with not less than the equivalent of ten percent of its floor area devoted to windows, which shall be covered with curtains, blinds, or shades;
 - 8) that no inpatient bedroom opens into the kitchen or necessitates passing through the kitchen to reach any other part of the facility;
 - 9) that no bedroom is in an attic or in an area with a floor more than three feet below the adjacent ground level;
 - 10) that each inpatient has a wardrobe, locker, or closet;
 - 11) that each bedroom has a swinging door no less than 32 inches in width which opens directly into a corridor or to the outside;
 - 12) that doors in inpatient facilities that lead to corridors shall not be lockable from the inside;
 - 13) that each bathroom contains a toilet and sink and that each tub or shower is enclosed with space for drying and dressing (the sink may be omitted from a bathroom which serves two adjacent bedrooms if each of these rooms contains a sink);
 - 14) that a bathroom is accessible to each central bathing area and that a minimum of one toilet, one sink and one bathtub or shower for each sex shall be provided on each inpatient floor occupied by both sexes;
 - 15) that one sink, one toilet and one bathtub or shower is provided for each eight beds on each floor where bathrooms are not adjacent to bedrooms;
 - 16) that all bathrooms are well lighted and vented to the outside, either by means of a window that can be opened or by an exhaust fan; that no bathroom, other than for employees, shall open directly into a kitchen, pantry, food preparation area or food storage room;
 - 17) that in inpatient facilities, a separate enclosed room is available for group counseling other than the one used for recreation or dining in any facility with a capacity to serve more than 20 patients;
 - 18) that any facility that provides 24 hour care or that provides any meals shall do so under the direction, as an employee or through a contractual agreement, of a Licensed Dietitian (LD) or a Licensed Nutrition Counselor (LNC);

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 19) that the dietitian or licensed nutrition counselor shall develop a written plan for the provision of food services which describes either the organization of the food service and the delivery of food services or the arrangements for the provision of such services to patients;
- 20) that all nutritional aspects of patient care, including any specific dietary patient needs, shall be under the direction of the licensed dietitian, the licensed nutrition counselor or other persons who are supervised by the licensed dietitian or the licensed nutrition counselor;
- 21) that the dining area is supervised and staffed to provide assistance to the patients when needed, shall be sized and equipped to accommodate the age and number of patients served and shall be separate from the kitchen area;
- 22) that the preparation or cooking of regularly scheduled hot meals is restricted to kitchen areas which shall be designed and equipped to meet the requirements of the services provided, including provisions for food receiving, storage, and preparation, dish and pot washing, and waste disposal;
- 23) that there is access to a handwashing sink and toilet and that all equipment and appliances are installed to permit thorough cleaning of all equipment, walls, baseboards, and non-absorbent floor material and that each kitchen has an Underwriters Laboratories (U.L.) approved five pound class B:C dry chemical fire extinguisher; and
- 24) that if laundry is done at the facility, space for soiled linen sorting, laundry equipment including washers and dryers, and clean linen storage space is provided. If laundry is done outside the facility, a soiled linen storage room or area shall be provided.

Section 2060.307 Service Termination/Record Retention

- a) The Department shall be notified at least 30 calendar days prior to the date on which cessation of any service is scheduled to occur. If involuntary termination occurs due to inability to operate (from damage to the facility, loss of staff, change in management, corporate dissolution or any other cause) the licensee shall notify the Department upon termination even though the 30 day notice has not occurred.
- b) All patients receiving such services shall be apprised of the pending cessation and the needs of such patients shall be met by alternate means. The Department shall be notified within ten calendar days prior to closure of any case in which it is anticipated that a patient's needs cannot be met by existing systems of treatment.
- c) When notified by an organization of its intention to cease operations at a location, the Department, if necessary, will schedule an inspection to ensure that the controlled substances inventory is

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

transferred or destroyed in accordance with the Drug Enforcement Administration (DEA) requirements set forth at 21 CFR 1307.14 and 1301.21 (1987), respectively.

d) When an organization ceases operation of any service, all records (patient, personnel, financial) relative to that service shall be maintained as follows:

1) If the organization has a current license issued by the Department for any other treatment or intervention service, the organization may maintain the records from the service that has ceased operation.

2) If the organization has no other current license issued by the Department for any other treatment or intervention service, all records shall be transferred for maintenance and storage to a treatment or intervention service currently licensed by the Department or to a person specifically exempted from such licensure in Section 15-5 of the Act.

e) The Department shall be notified regarding the location where records will be maintained and stored within ten calendar days after cessation of service.

f) Such records shall be stored and maintained for a period of five years from the date of cessation of service.

g) Upon cessation of operations, the license shall automatically become null and void, and all documentation of licensure shall be immediately surrendered to the Department.

Section 2060.309 Professional Staff Qualifications

a) All professional staff providing clinical services (except as set forth in subsection (b)(2)), as defined in this Part, shall:

1) hold clinical certification as a Certified Alcohol and Drug Counselor from the Illinois Alcoholism and Other Drug Abuse Professional Certification Association (IAODAPCA), 1305 Wabash Avenue, Suite 1, Springfield, Illinois 62704; or

2) be a licensed professional counselor or licensed clinical professional counselor pursuant to the Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107]; or

3) be a physician licensed to practice medicine in all its branches pursuant to the Medical Practice Act of 1987; or

4) be licensed as a psychologist pursuant to the Clinical Psychology Practice Act [225 ILCS 15]; or

5) be licensed as a social worker or licensed clinical social worker pursuant to the Clinical Social Work and Social Work Practice Act [225 ILCS 20].

b) All professional staff providing only clinical assessments, DUI evaluations or designated program intervention services, as defined in this Part, shall:

1) meet one of the qualifications specified in subsection (a) above; or

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

2) hold assessor certification as a Certified Assessment and Referral Specialist (CARS) from IAODAPCA.

c) In any medically managed or monitored detoxification service at least one staff, 24 hours a day, shall:

1) be a registered nurse pursuant to Section 3(k) of the Illinois Nursing Act of 1987 [225 ILCS 65/3(k)];

2) be a licensed practical nurse pursuant to Section 3(i) of the Illinois Nursing Act of 1987 [225 ILCS 65/3(i)] who has completed at least 40 clock hours of formal training in the field of alcoholism or other substance abuse; or

3) be a certified emergency medical technician pursuant to Section 4.12 of the Emergency Medical Services (EMS) Systems Act [210 ILCS 50/4.12] who has completed at least 40 clock hours of formal training in the field of alcoholism or other substance abuse.

d) Any other staff who provide direct patient care that is not defined as a clinical service shall be supervised by an individual who meets the requirements for professional staff as defined in subsection (a), (b) or (c) (1) and (2) as applicable to detoxification.

e) Any new professional staff, including interns, who will provide clinical services in a treatment or designated program service and who do not meet the requirements of subsection (a) or (b) when hired, shall:

1) meet the requirements specified in subsection (a) or (b) within two years after the date after employment; and

2) not work in any supervisory capacity until such requirements are met; and

3) work under the direct, verifiable supervision of an individual who has staff supervisory responsibility at the facility and who meets the requirements for professional staff specified in subsection (a) or (b); and

4) sign, and adhere to, a professional code of ethics developed by the organization.

f) The above referenced supervision shall last until the employee meets at least one of the requirements for professional staff designation specified in subsection (a) or (b) or until the two year period has elapsed. Such supervision is verifiable, at a minimum, by:

1) signature of the supervisor and the affected employee on the treatment plan and all reviews of or any change to the patient's treatment plan; and

2) documentation of face-to-face supervision meetings, at least once monthly. This supervision can occur in a group or individual setting and shall be a distinct activity separate from regularly scheduled patient staffings.

g) Any employee providing clinical services under supervision at one or more organizations who does not meet at least one of the requirements specified in subsection (a) or (b) within the relevant two year period or any current employee working at one or more organizations who does not meet the requirements specified in this Section within two years

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

after the effective date of this Part shall not provide any direct clinical services at the end of the two years until such requirement is met.

- h) All staff providing DUI risk education services shall:
 - 1) meet one of the qualifications specified in subsection (a); or
 - 2) hold certification from IAODAPCA.
- i) It is the responsibility of each organization to ensure that all professional staff meet the requirements outlined in this Section.

Section 2060.311 Staff Training Requirements

a) All organizations shall provide an initial employee orientation to all staff within the first seven days after employment that shall include, at a minimum, the following information:

- 1) An overview of all organization operations, including the specific duties assigned to the employee; emergencies and disaster drills; familiarization with existing staff backup and support; and all required training.
- 2) An overview of this Part for all staff.
- 3) Information on bloodborne pathogens and universal precautions (as those terms are defined in the regulations set forth in Section 2060.413 of this Part) and the importance of tuberculosis control and personal hygiene, the responsibilities of all staff with regard to infection control and an overview of the fundamentals of HIV, AIDS and tuberculosis control.
- 4) Information on HIV and AIDS relative to the etiology and transmission of HIV infection and associated risk behaviors, the symptomatology and clinical progression of HIV infection and AIDS and their relationship to substance abuse behavior, the purposes, uses and meaning of available testing and test results, relapse prevention and sensitivity to the issues of an HIV infected patient.
- 5) An overview of the principles of patient confidentiality, all related federal and State statutes and all record keeping requirements regarding confidential information.
- b) Within the first six months after the effective date of this Part each organization shall send at least one management or professional staff member to a Part 2060 Rules Orientation training session. This training shall be conducted by the Department and will be offered free of charge.
- c) Within the first six months after employment, any and all staff providing a DUI evaluation service shall attend one complete DUI Orientation training session offered or approved by the Department.
- d) Within the first six months after employment, any and all staff providing a DUI risk education intervention service shall attend the first day of a DUI Orientation training session offered or approved by the Department. Thereafter, each instructor shall obtain a minimum of twelve additional hours of substance abuse training annually.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Section 2060.313 Personnel Requirements and Procedures

- a) All professional staff:
 - 1) shall be at least 18 years of age; and
 - 2) cannot have been convicted of any felony or had any subsequent incarceration for at least two years prior to the date of employment.
- b) Verification of the requirements specified in subsection (a) above shall be documented on the Department's Schedule L at the time of employment and this form shall be maintained in the employee's personnel file. Prior to employment a copy of the Schedule L, along with a letter requesting an exception for employment, shall be sent to the Department relative to any person that indicates a felony conviction within the time period specified above.
- c) In addition, any staff providing DUI evaluation or risk education services shall not have a suspension or revocation of driving privileges for an alcohol or drug related driving offense for at least two years prior to the date of employment.
- d) Any staff providing clinical or any other supportive services to a child or adolescent who is receiving treatment at a facility, or is receiving child care at a facility, or is residing at a facility with a parent who is in treatment shall consent to a background check to determine whether they have been indicated as a perpetrator of child abuse or neglect in the Child Abuse and Neglect Tracking System (CANTS), maintained by the State Central Registrar as authorized by the Abused and Neglected Child Reporting Act [325 ILCS 5/11.1(15)]. The organization shall have a procedure which precludes hiring of indicated perpetrators based on the reasons set forth in 89 Ill Adm Code 385.30(a) and procedures wherein exceptions will be made consistent with 89 Ill Adm Code 385.30(e) and procedures for record keeping consistent with 89 Ill Adm Code 385.60.
- e) The organization shall ensure that treatment services for special populations (gender, youth, criminal justice, HIV, etc.) are delivered by appropriate professional staff as clinical needs indicate.
- f) The organization shall have written personnel procedures approved by the management or, if applicable, the board of directors. Such procedures shall apply to all full and part-time employees and shall include the process for:
 - 1) recruiting, selecting, promoting and terminating staff;
 - 2) verifying applicant or employee information;
 - 3) protecting the privacy of personnel records;
 - 4) performance appraisals, and review and update of job descriptions for all positions in the organization;
 - 5) disciplinary action, including suspension and termination;
 - 6) employee grievances;
 - 7) employment related accident or injury;
 - 8) handling instances of suspected or confirmed patient/client abuse and/or neglect by staff, whether paid or volunteer;

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 9) handling instances of suspected or confirmed alcohol and other drug abuse by staff; and
- 10) documentation that the personnel procedures, and any changes in procedures, have been distributed to employees and are available on request.
- g) The organization shall provide documentation that all personnel procedures have been reviewed and approved at least annually by the authorized services representative or, if applicable, the board of directors.
- h) A personnel file shall be maintained for each employee that contains:
 - 1) the employee's name, address, telephone number, social security number, emergency contact and telephone number;
 - 2) resume and evidence of qualifications;
 - 3) documentation of the Schedule I and any relevant background checks and/or exception request;
 - 4) required training and continuing education received while employed by the organization (as indicated by a certificate of completion or the title, date and location of the training and the signature of the staff member who attended the training);
 - 5) a copy of any professional certification, current license and/or registration, and date of employment and/or termination from the organization; and
 - 6) a copy of the signed applicable professional code of ethics as referenced in Part 2060.309(e)(4) of this Part.
- i) Each personnel file shall be maintained for a period of five years from the date of employee termination.

Section 2060.315 Quality Improvement

- a) The licensee shall design and utilize a quality improvement plan. Such plan shall be written and shall contain, at a minimum, a method of evaluation to assess achievement of the organization's mission and the functioning of the organization and its service delivery systems and utilization review process.
- b) The quality improvement plan shall be approved by management or, if applicable, the board of directors of the organization and annually reviewed and revised as necessary.
- c) The evaluation shall contain, at a minimum:
 - 1) a mission statement for the organization;
 - 2) specific and measurable goals, objectives, activities and outcome standards that are utilized by the organization to achieve its missions and projected results;
 - 3) a description of how the organization will review and implement needed changes based on the results of the evaluation;
 - 4) a method to review use of medication in any level of care;
 - 5) a method of risk management that, at a minimum, includes:
 - A) review and analysis of any incident or significant incident

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- reports as referenced in Section 2060.331 of this Part; and
- B) design and implementation of necessary procedures to address both proactively and reactively any identified risks; and
- 6) a method of utilization review to measure appropriate patient placement.
- d) The method of organization evaluation shall be submitted with the application for licensure. The results of the evaluation shall also be available for inspection by the Department and submitted at the time of application for renewal of licensure.
- e) Utilization Review
 - 1) For treatment licensees, utilization review shall be conducted in accordance with the time frames established in Section 2060.423(a)(2) of this Part and shall be conducted on a minimum 15% sample. If random sampling at 15% indicates problems, the organization will develop a specific remediation plan to correct the identified problems. Utilization review shall be conducted in accordance with continued stay and discharge criteria as established in the ASAM Patient Placement Criteria.
 - 2) For DUI evaluation or designated program intervention licensees, utilization review shall:
 - A) be conducted at least quarterly on randomly selected cases consisting of at least 15% (but no less than five and no more than 20) of persons receiving each service; and
 - B) be based on the established criteria specified in this Part for the applicable category of intervention license relative to the substance abuse assessment or evaluation and subsequent intervention or referral.
 - f) All organizations required to conduct utilization review shall also:
 - 1) specify all staff participating in utilization review;
 - 2) specify how conflict of interest shall be addressed in any small organization where professional staff cannot always avoid reviewing their own cases; and
 - 3) issue a report of finding from utilization review at least quarterly and make such report available to all professional staff.
 - g) Treatment licensees who are not otherwise required to report data electronically to the Department shall maintain statistics which, at a minimum, determine the total number of assessments, admissions, and discharges per patient by type of discharge and the average length of stay in each level of care.
 - h) DUI risk education and recovery home services shall not be subject to utilization review as specified in subsection (e).

Section 2060.317 Service Fees

- a) A fee schedule shall be established which specifies the fee charged for all treatment and intervention services and any other related services and which also specifies or estimates the amount for which

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

the individual might be responsible based upon the anticipated length of stay in treatment or the type of intervention service.

- 1) This fee schedule shall be shown to every person as part of the admission process or prior to the beginning of any intervention service.
- 2) This fee schedule shall also specify any limitation or restriction in the amount that can be charged to any person who is eligible for any type of federal or State subsidization for payment of the applicable service.
- b) Each person shall be given a fee statement indicating the amount that he or she will be responsible to pay along with any relevant payment schedule for each service. However, any person receiving any type of State or federal subsidization for full or partial payment of the service shall first provide proof of qualifying status as specified by the guidelines established for the specific subsidy. Such proof shall be relative to the current State fiscal year in which services are received. Documentation of this proof and the fee statement shall be kept in the patient record or in a separate patient financial record.

Section 2060.319 Confidentiality - Patient Information

- a) The organization shall have written policies and procedures controlling access to records and information which is governed by the Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR 2 (1987)) of the Alcohol, Drug Abuse, and Mental Health Administration of the Public Health Service of the United States Department of Health and Human Services effective August 10, 1987, which is incorporated herein by reference, and Article 30 of the Act [20 ILCS 301/Art. 30]. The policies and procedures shall be consistent with said regulations and statutes. The organization shall comply with said regulations and statutes.
- b) This Section shall not prohibit:
 - 1) disclosure of information about a crime committed by a patient at the organization, or a threat to commit such crime;
 - 2) disclosure of information about suspected child abuse or neglect, as allowed by, required by and consistent with State law;
 - 3) disclosure of a patient's own records to the patient, or as consented to in writing by the patient;
 - 4) communications of information between or among personnel having a need for the information in connection with their duties either within the organization or with an entity having direct administrative control over the services;
 - 5) disclosure of information to medical personnel if necessary in a medical emergency;
 - 6) disclosure of information as authorized by an appropriate court order upon showing of good cause, after appropriate procedure and notice, and with appropriate safeguards against unauthorized disclosure contained in the order as set forth in 42 CFR

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

2.61-2.67 (1987);

- 7) disclosure of information to qualified personnel for the purpose of conducting scientific research as set forth in 42 CFR 2.52 (1987);
- 8) disclosure of information to qualified personnel who are authorized by law or who provide financial assistance for the purpose of conducting audit or evaluation activity (services review or evaluation, quality review, financial or management audits, etc., as set forth in 42 CFR 2.53 (1987)).

This Section shall also not prohibit any other disclosure not precluded by the regulations and statute cited in subsection (a) above, nor by any other applicable law, provided that any and all of the above disclosure is done consistent with the regulations and laws in subsection (a) above, is made only to the extent allowed, for the purposes allowed and that appropriate safeguards as required therein are provided.

- c) Patient records and any other information which is subject to any laws and rules cited in this Section shall be maintained in a secure room, locked file cabinet, safe or other similar container when not in use. If patient information is stored in electronic or other types of automated information systems, security measures shall be in place to prevent inadvertent or unauthorized access to such information.
- d) Except as authorized by an appropriate court order granted pursuant to the regulations and statutes cited in this Section, no record referred to by said laws may be used to initiate or substantiate any charges against a patient or to conduct any investigation of a patient.
- e) The prohibitions cited in this Section apply to records concerning any individual who has been a patient, regardless of whether or when he or she ceases to be a patient.
- f) When the Department requests a record or information which is subject to the regulations and statutes cited in this Section for audit, evaluation, research or other authorized purposes, it shall, in writing:
 - 1) indicate the purpose for obtaining the information;
 - 2) agree to maintain the information in accordance with security requirements of said laws;
 - 3) agree to comply with limitations on disclosures in said laws;
 - 4) agree to destroy all the information upon completion of its use; and
 - 5) indicate the authorized personnel to whom such information is to be submitted.
- g) Organizations providing a DUI evaluation or risk education intervention service shall disclose offender information as allowed by law. The informed consent form and procedures as referenced in Section 2060.503(d) and (e) of this Part shall be utilized to allow for the disclosure of evaluation and risk education information to Illinois court officials, the Illinois Office of the Secretary of State and the Department for the purpose of adjudicating and court monitoring of DUI

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

cases, drivers license issues and for monitoring licensed services.

Section 2060.321 Confidentiality - HIV Antibody/AIDS Status

- a) The organization shall have written policies and procedures controlling access to records and information governed by the AIDS Confidentiality Act [410 ILCS 305] (AIDS Act), and the AIDS Confidentiality and Testing Code (77 Ill Adm Code 697) (AIDS Code).
- b) The confidentiality of the following information is protected by the AIDS Act and AIDS Code:

- 1) the identity of a person upon whom a test for HIV is performed; and
 - 2) the results of a test for HIV for an individual.
- c) This Section shall not apply to HIV and/or AIDS risk reduction education and/or counseling, or other HIV and/or AIDS education which is provided to all persons but shall apply to information regarding individual requests for or participation in HIV pre-test and/or post-test counseling.
- d) When dealing with information governed by the AIDS Confidentiality Act and AIDS Code, this Section shall control, notwithstanding any other provisions of this Part to the contrary.
- e) An HIV antibody or AIDS test cannot be required as a condition of treatment, and an individual cannot be required to disclose or to sign an authorization for release of information concerning his or her HIV antibody test or HIV or AIDS status as a condition of treatment.
- f) An individual who wishes to be tested for HIV antibodies shall be informed that he or she may undergo testing on an anonymous basis.
- g) Unless disclosure is otherwise authorized by statute and rule, no information governed by the AIDS Confidentiality Act and the AIDS Code shall be released by an organization, or by any member of its staff, to other staff members, including but not limited to the executive director, and/or to the medical director, and/or to any other person or entity, unless there is a legally effective consent or another exception in accordance with the statute and rule. Release of information which is allowed by consent or by statute and rule shall be done only to the extent provided therein.
- h) Records which document the above confidential information shall be maintained in a separate portion of the file and be accessible only in accordance with the AIDS Confidentiality Act and Section 697.140(c) of the AIDS Code.
- i) The organization shall have a policy regarding how and what shall be recorded if a person self-discloses HIV status during the course of treatment or if the person requires the administration of medications or other services by staff related to AIDS treatment. The policy shall protect the confidentiality of the person and protect his or her right to give consent prior to disclosure of HIV status, and shall limit disclosure to only what is necessary to accomplish the purpose of the disclosure.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- j) Any HIV and/or AIDS counseling or testing service which is operated within the facility is considered a separate service and shall maintain separate records. Organization staff shall not have access to such counseling and testing records unless otherwise authorized in writing by the patient's informed consent.

Section 2060.323 Patient Rights

- a) A written statement shall be provided to any patient at the time of acceptance for an intervention service or admission to a treatment service which describes the rights of all patients as specified in Article 30 of the Act as follows:
- 1) access to services will not be denied on the basis of race, religion, ethnicity, disability, sexual orientation or HIV status;
 - 2) services will be provided in the least restrictive environment available;
 - 3) confidentiality of HIV/AIDS status and testing and anonymous testing as specified in Section 2060.321 of this Part;
 - 4) the right to nondiscriminatory access to services as specified in the American's With Disabilities Act of 1990 (42 USC 12101);
 - 5) the right to give or withhold informed consent regarding treatment and regarding confidential information about the patient;
 - 6) a description of the route of appeal available when a person disagrees with an organization's decision or policies;
 - 7) confidentiality of patient records as specified in Section 2060.319 of this Part;
 - 8) the right to refuse treatment or any specific treatment procedure and a right to be informed of the consequences resulting from such refusal.
- b) The patient will attest by signature that he or she has received a copy of the written statement of patient rights and this signatory document shall be maintained in the patient record.
- c) The statement of patient rights shall be posted in an area accessible to patients at all times.
- d) Each patient shall be given the statement of patient rights. If a patient is unable to read such written statement, it shall be read to the patient in a language the patient understands.

Section 2060.325 Patient/Client Records

- a) Licensees shall maintain a written record for each patient or client. Such record may also be maintained electronically on a computer but shall be made available in hard copy upon request for review by the Department.
- b) Any written entry on the record shall be in ink and shall be dated and shall meet all other signatory requirements for professional staff as

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

specified in Sections 2060.421 and 2060.423 of this Part.

c) Written signatures or initials and electronic signature or computer-generated signature codes are acceptable as authentication to identify the author of the record entry by that author and to confirm that the contents are what the author intended. Signature or initial stamps shall not be utilized.

d) All signatures or initials, whether written, electronic, or computer-generated, shall include the initials of the signer's credentials.

e) In order to utilize electronic signature or computer-generated signature codes, the organization shall adopt a policy that permits authentication by electronic or computer-generated signature and shall, at a minimum:

- 1) identify which staff are authorized to authenticate records using electronic or computer-generated signatures;
- 2) ensure that each user is assigned a unique identifier that is generated through a confidential access code;
- 3) certify in writing that each identifier is kept confidential; and
- 4) have each user certify in writing that he or she is the only person with user access to the identifier and the only person authorized to use the signature code.

f) Records maintained on computer shall have a back-up system to safeguard the records in the event of operator or equipment failure.

g) Any document or entry made on a document in the record that is in any other language than English shall have an accompanying English language translation.

h) All records shall be protected in a locked room, locked file, safe or similar container or in computer records with secure, limited access.

i) The record shall document any service provided by the organization at any facility. Additionally, if the organization provides multiple services that are licensed by the Department at any facility, one record can document all of such services.

j) The record shall contain the signatory document that indicates the patient/client has been informed of his or her rights.

k) The record shall contain documentation indicating the consent of the patient, and any other family members or guardians, for any service.

l) The record shall contain, on a standardized format, the following information:

- 1) name;
- 2) home address;
- 3) home and work telephone number;
- 4) date of birth;
- 5) sex;
- 6) race or ethnic origin and/or language preference;
- 7) emergency contact;
- 8) education;
- 9) religion;
- 10) marital status;

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 11) type and place of employment;
- 12) physical or mental disability, if any;
- 13) social security number, if requested;
- 14) drivers license number, county of residence and county of arrest (required only for DUI evaluation or risk education services); and

15) annual household income, if applicable to any subsidized or reduced fee for service.

m) The record shall contain dates of any admission, change in level of care or discharge.

n) The record shall contain a dated service fee statement and proof, if applicable, of any qualifying documents relative to fee subsidization, including the "Qualification for DUI Services as an Indigent" form, unless this information is kept in a separate financial record.

o) The record shall be kept for a period of five years from the date of discharge. While organizations may elect to keep records past this five year period, if the option to delete records is exercised, it shall be done by one of the following methods:

- 1) burning or shredding; or
- 2) erasure from all computer files.

p) The record shall contain the following information or documents for any treatment service:

- 1) documentation of the treatment assessment and patient placement process;
 - 2) documentation of the diagnostic impression and physician confirmed diagnosis;
 - 3) documentation of any laboratory and/or other diagnostic procedures/results and reports of any medical services received (except for HIV testing unless the patient has given written informed consent) and documentation of the tuberculin skin test results, the date given and date read, if applicable;
 - 4) the treatment plan and documentation of all required signatures and dates;
 - 5) progress notes that document all treatment services, any subsequent treatment plan reviews and on-going assessment and documentation of all required signatures and dates;
 - 6) documentation of completion of patient education specified in Section 2060.409 of this Part;
 - 7) documentation of any correspondence or telephone calls received or made relevant to treatment services;
 - 8) a copy of the discharge summary unless the patient left prior to receiving any of these services; and
 - 9) documentation of any incident report or significant incident report that is specifically relevant to the patient/client.
- q) The record shall contain copies of all referenced forms in Subpart E for any offender receiving a DUI evaluation or risk education service.
- r) A staff member shall be designated who will have responsibility to ensure that all records are in compliance with this Part. This staff

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

member shall review, at least annually, the record system to ensure that the system meets all requirements specified in this Part.

- s) Records shall be kept in the facility where the patient/client is receiving service (or in accordance with Section 2060.203(b) of this Part, in specific relation to off-site services) and shall be directly accessible to the professional staff providing such services.
- t) Information in the record may be used for training, research and quality improvement provided that such information is collected in accordance with any relevant confidentiality requirements.

Section 2060.327 Emergency Patient Care

- a) A written plan shall be submitted at the time of application for licensure which specifies the manner in which emergency patient care is provided, either by the organization or through a linkage agreement with another facility or both, in the event of unforeseen interruption of services to current patients.

- b) The plan should specify staff who are authorized to provide emergency care, the method for exchange of patient records when necessary, the name, location and contact person who is part of the emergency patient care plan, the method of transfer of any patients, if applicable, to another facility and the method of notification of patient families concerning the emergency and any subsequent transfer of the patients.

Section 2060.329 Referral Procedure

- a) Written procedures shall be established for the referral of patients to other providers for services that are not available within the organization and/or that are requested by the patient. These procedures shall include the following:

- 1) the method of obtaining any necessary written consent from the patient for transfer of any relevant portion of the patient record and for communication regarding patient services with that provider;
- 2) the method for ensuring continuity of patient care which shall include a written referral document that indicates the reason for the referral, provides information about any service received to date and any additional services needed or requested, specifies any necessary continued coordination between the providers and the time frame for any necessary follow-up reports; and
- 3) the method by which a patient may request a referral.

- b) Each organization shall have a written linkage agreement, specifying the above provisions, with any other provider that it routinely utilizes for referrals unless otherwise required by the Department.

- c) All referrals made for treatment or intervention services as defined in this Part shall only be made to organizations licensed under this Part, to those individuals or organizations that are specifically exempted from licensure as specified in Section 15-5 of the Act or to

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

similarly licensed and regulated organizations in other states.

Section 2060.331 Incident and Significant Incident Reporting

- a) An incident is any action by staff or patients that led to, or is likely to lead to, an adverse effect on patient services because of a deviation from established patient care procedures.
- b) Such incidents shall be documented immediately, in writing, by staff and such report shall be maintained at the facility for review by Department staff as necessary or during inspection.
- c) A significant incident is any occurrence at the facility which requires the services of the coroner and/or which renders the facility inoperable.
- d) A verbal report of any significant incident shall be given to the Department's Division of Licensing and Monitoring within 24 hours after its occurrence.
- e) A written report of any significant incident shall be submitted within ten calendar days after the occurrence and, if applicable, a copy of any coroner's report shall be submitted within five calendar days after receipt of the written report.

Section 2060.333 Complaints

- a) A complaint shall be filed with this Department whenever evidence is discovered that indicates non-compliance with this Part by any other organization providing services licensed under this Part or about any person suspected of providing unlicensed services. An individual may also file a complaint with the Department relative to any service. In all cases, complaints shall be directed to the Department as follows:
 - 1) complaints may be received verbally but shall be documented in writing by the complainant before any official Department action is undertaken;
 - 2) any supporting documentation relative to the complaint shall also be submitted to the Department; and
 - 3) the Department shall notify the organization of any complaints that it receives relative to any service provided within the organization.
- b) The complaint procedure poster furnished by the Department shall be posted in an area accessible to persons at all times.

Section 2060.335 Inspections

- a) The Department shall conduct inspections of services licensed under this Part to enforce compliance with this Part.
- b) Such inspections shall be routinely scheduled but may also occur at any reasonable time. Employees of the Department shall be authorized to enter the facility and shall be permitted access to all areas and records.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- c) If consent to inspect is not given, the Department will seek access pursuant to Section 45-5 of the Act.

Section 2060.337 Investigations

- a) The Department may on its own motion, and shall upon the sworn complaint in writing of any person setting forth charges which, if proved, indicate criminal activity and/or would constitute grounds for sanction pursuant to the Act, conduct its own investigation and/or refer the matter for investigation.
- b) The Department may also refer such matters for investigation to the appropriate legal authority.

Section 2060.339 License Sanctions

- a) Prior to initiating a formal action to sanction a licensee, the Department will allow an organization an opportunity to take corrective action to eliminate or ameliorate a violation of the Act or this Part, except in cases in which the Department determines that emergency action is necessary to protect the public interest, safety or welfare.
- b) The Department shall issue written notice to an organization determined to be in non-compliance. The Department's notice shall specify the particular activities deemed to violate the Act and/or this Part. The Department's notice shall require such corrective action as it deems necessary for compliance and shall establish a time period within which the corrective action is to be completed.
- c) In determining whether to initiate formal action the Department shall consider whether the organization made an effort to comply with the Department's notice of corrective action, whether compliance with the Act and this Part was achieved within the designated time frame and the potential for harm to a patient as a result of the failure to comply.
- d) Nothing contained herein shall preclude the Department from initiating formal action against an organization who has complied with the Department's notice of corrective action. In such case, the factors enumerated above shall be considered by the Director in determining whether and to what extent the following sanctions should be imposed:

- 1) Administrative Warning - A written warning issued by the Department which specifies rule violations and a corrective time period and that also warns that any additional violation of this Part may result in a more severe sanction.
- 2) Probation - Probation of the licensee for a specified period of time during which action shall be taken, as necessary, to achieve compliance with all licensure standards. When the probationary period has expired, the Department shall terminate the probationary status. If the Department determines that the organization still does not meet licensure standards or has

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

continued violations, the Department may suspend the license or extend the probationary period, if such extension would likely result in correction.

- 3) Restricted License - A restriction placed on a license which limits operation to specified services after a Department finding that one or more services has not met licensure standards.
- 4) Financial Penalty - A financial penalty imposed upon a finding of violation of any one or combination of the provisions of Section 15-25 of the Act. A financial penalty may not be paid with public funds. In determining an appropriate financial penalty the Department may consider the deterrent effect of the penalty on the organization and on other providers, the nature of the violation, the degree to which the violation resulted in a benefit to the organization and/or harm to the public and any other relevant factor to be examined in mitigation or aggravation of the organization's conduct. The financial penalty may be imposed in conjunction with other sanctions or separately.
- 5) Summary Suspension - An immediate suspension of the license ordered if the Director finds that the public interest, safety, or welfare imperatively requires emergency action.

A) A petition for summary suspension shall state the statutory basis for the action petitioned, alleged facts, supported by evidence or affidavit, sufficient to demonstrate a need for emergency action, be signed by the Department's chief legal counsel and be presented to the Director either in person or by telephone and in the presence of a court reporter.

B) An order for summary suspension shall contain findings of fact sufficient to support imposition of a summary suspension, recite the statutory basis for the action, appoint a hearing officer, demand immediate surrender of the license and be signed by the Director.

C) A notice of summary suspension shall accompany the order and shall set a date for commencement of a hearing within 14 calendar days after the date on which the order takes effect. The notice of summary suspension shall also identify the hearing officer who will conduct the hearing and include a copy of the Department's rule pertaining to hearings.

D) If the parties agree to a prehearing conference, such conference shall constitute the commencement of the hearing. The hearing shall determine whether the summary suspension shall remain in effect until conclusion of a formal hearing on the merits.

E) Suspension - Suspension of the license is a temporary withdrawal, by formal action, of a license for a period of time specified by the Department during which corrective action is taken to rectify problem areas that led to the suspension. When the corrective action has been taken, the Department will determine if such

6) Suspension - Suspension of the license is a temporary withdrawal, by formal action, of a license for a period of time specified by the Department during which corrective action is taken to rectify problem areas that led to the suspension. When the corrective action has been taken, the Department will determine if such

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

action meets Department standards and either reinstate or revoke the license.

- 7) Revocation - Revocation of the license is withdrawal by formal action of a license to provide treatment or intervention services. The termination shall be in effect until such time as the license is reinstated or an application for a new license has been made and approved by the Department.
- e) The Department may reinstate a license, after a period of suspension or revocation, providing the organization proves full compliance with licensure standards.
- f) The Department shall deny a license application for failure to comply with the Act and this Part.

Section 2060.341 License Hearings**a) Applicability**

This Section shall apply to all hearings conducted by the Department pursuant to Section 45-25 of the Act. In case of a conflict between the provisions of this Section and the Illinois Administrative Procedure Act [5 ILCS 100], the provisions of the Illinois Administrative Procedure Act shall apply.

b) Parties

The parties to a hearing are:

- 1) the Department; and
- 2) the applicant or license holder who is afforded an opportunity for hearing or who requests a hearing in accordance with requirements specified in this Section.

c) Hearing Officer

- 1) A hearing officer shall conduct the proceeding.
- 2) The hearing officer shall be an attorney licensed to practice law in the State of Illinois or the Director with the mutual consent of both parties.

d) Representation

- 1) A party may be represented by an attorney at law who is licensed to practice law in the State of Illinois and who has filed an appearance with the Department.

- 2) Each party to a proceeding shall inform the Department of the address to which notices or other documents should be directed, if different from the address indicated in Department records.

e) Form of Papers

- 1) All papers filed in any proceeding shall be typewritten or printed on paper which does not exceed 8 1/2 by 11 inches, with margins not less than one inch wide. Typing or printing shall be on one side of the paper only.
- 2) All papers filed with the Department shall be filed in triplicate.

f) Pleadings

- 1) Pleadings shall contain the address of the party filing the

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

pleading or the address of his or her attorney.

- 2) All pleadings filed with the Department shall be filed in triplicate.
- 3) The Department's "Notice of an Opportunity for Hearing" shall contain:
 - A) a statement of the nature of the hearing;
 - B) a statement of the legal authority and jurisdiction under which the hearing is to be held;
 - C) a reference to particular Sections of the statutes and rules involved;
 - D) a brief statement of the matters asserted; and
 - E) a statement of the time and place that the hearing will be held if a timely request is made.
- 4) Any organization receiving a "Notice of an Opportunity for Hearing" shall file a request for such hearing within 30 calendar days after the date of the notice or the hearing rights afforded under the Act shall be deemed waived.
- 5) A request for hearing shall be filed with the Director, either by personal service or by certified or registered mail.
- 6) Upon receipt by the Director of a timely and properly filed request for hearing, the hearing will be scheduled to commence within a reasonable time period.
- 7) A "Notice of Hearing," which contains the information required by Section 10-25 of the Illinois Administrative Procedure Act [5 ILCS 100/10-25], will be sent to the parties at least ten calendar days prior to the scheduled hearing date.
- 8) Pleadings may be amended at any time prior to hearing, and may be amended at any time thereafter unless the hearing officer determines that amendment of the pleadings would cause delay in disposing of the issues of the case.
- g) Motions
 - 1) Motions, unless made during a hearing, shall be in writing, shall specify the relief or order sought, and shall be served on all parties.
 - 2) Responses to written motions shall be in writing, unless made during a hearing.
 - 3) Motions and responses to motions shall be filed with the hearing officer.
 - 4) Motions or responses to motions which allege facts not in the record shall be accompanied by supporting affidavit.
 - 5) Whenever a motion or a response to motion requests that relief be granted, specific authority shall be cited under which the hearing officer is empowered to grant such relief.
 - 6) Oral argument on motions shall be allowed only if the hearing officer deems it necessary for a fuller understanding of the issues presented.
- h) Discovery
 - 1) The Director or the hearing officer shall, upon request, cause

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

depositions of material witnesses within the State to be taken in the manner prescribed by Supreme Court Rules 201-212 [735 ILCS 5/201-212], and to that end compel the attendance of witnesses and the production of books, papers, or memoranda.

- 2) All evidence which forms the basis of the Department's proposed action which would be adverse to any party other than the agency will be made a part of the record and disclosed to the parties prior to the hearing.

i) Service

- 1) All required notices shall be served either by personal service or by certified or registered mail.
- 2) The official address for service on the Department is 100 W. Randolph, Suite 5-600, Chicago, Illinois 60601.

j) Prehearing Conference

- 1) Prior to commencement of the hearing, the hearing officer shall conduct a prehearing conference. The purpose of the conference is for:

- A) identification of contested issues;
- B) the exchange of evidence to be presented in written form;
- C) identification of issues which may be resolved by stipulation; and
- D) consideration of any other matter which may aid in the efficient disposition of the case.

- 2) Either party may elect to have a court reporter present during the prehearing conference. If no reporter is present, a written memorandum summarizing the discussions shall be prepared by the hearing officer and made a part of the official record of the case.

k) Conduct of Hearing

- 1) A full and complete record of the hearing shall be kept by the Department. The record shall include:
 - A) all pleadings, notices, responses, motions, and rulings;
 - B) evidence received;
 - C) a statement of any matters officially noticed;
 - D) offers of proof, objections, and rulings thereon;
 - E) proposed findings and exceptions;
 - F) hearing officer report;
 - G) all staff memoranda or data submitted to the hearing officer in connection with the case; and
 - H) any communication prohibited as an ex parte consultation, as defined by Section 10-60 of the Illinois Administrative Procedure Act [5 ILCS 100/10-60], but such communications shall not form the basis for any findings of fact.
- 2) All testimony shall be reported but need not be transcribed at the Department's expense unless the decision is appealed in accordance with the Administrative Review Law [735 ILCS 5/Art. III].
- 3) Both the burden of going forward with evidence and the burden of

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

proof rest with the party requesting a hearing. The burden of proof is to show by a preponderance of evidence that the Department's decision is contrary to the evidence on the record when taken as a whole, the decision is arbitrary or capricious or the decision is contrary to law.

- 4) All parties to the hearing shall be permitted to present testimony, offer evidence, cross-examine witnesses, and present argument.
 - 5) The hearing officer shall be authorized to conduct the hearing, administer oaths, issue subpoenas to compel testimony or production of documents, hold conferences for clarification of contested issues or for settlement, rule on motions, grant continuances as may be necessary, call or examine witnesses, and take such other actions as may be necessary to fairly and expeditiously provide the parties with an opportunity to be heard.
 - 6) The hearing officer is not authorized to dispose of a case although disposition may be made of any contested issue by stipulation. Disposition of the entire case may also be made by stipulation, agreed settlement, consent order or default.
 - 7) Continuances and extensions of time shall be granted by the Director or hearing officer for good cause shown. Good cause is a bonafide reason on the part of the Department or any party to the hearing which would prevent the hearing from being held or completed as scheduled (e.g., illness of a party or an immediate family member, unavailability of counsel).
 - 8) In contested cases, the rules of evidence and rules for taking official notice will be as contained in Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40].
- l) Hearing Officer Report
- 1) Within 30 calendar after the conclusion of a hearing, the hearing officer shall deliver a report of the hearing to the Director.
 - 2) All exhibits, pleadings, documents, or other material made a part of the record will accompany the report.
 - 3) The report will summarize the testimony presented at the hearing and the hearing officer's opinion regarding the reliability of the witness.
- m) Proposal for Decision
- 1) When the Director has not read the record, the decision, if adverse to a party other than the agency, shall not be made until a proposal for decision is served upon the parties, and an opportunity is afforded to each party adversely affected to file exceptions and to present a brief.
 - 2) The proposal for decision is prepared by one who has read the record and shall be approved by the Director for dissemination to the parties.
 - 3) The proposal for decision shall contain a statement of the reasons for the proposal and of each issue of fact or law

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

necessary to the proposed decision.

- 4) Exceptions and briefs shall be filed within 30 calendar days after the date of the proposal for decision.
- 5) Oral argument on issues presented in the exceptions and brief is not permitted.

n) Final Decision

- 1) A final decision in a contested or uncontested case shall be in writing and shall include findings of fact and conclusions of law separately stated.
- 2) Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings.
- 3) Parties or their agents appointed to receive service of process shall be notified either personally or by registered or certified mail of any decision.
- 4) The final decision may impose an administrative warning, a financial penalty, probation, suspension, revocation or denial of licensure.

SUBPART D: REQUIREMENTS - TREATMENT LICENSES

Section 2060.401 Levels of Care

Substance abuse treatment shall be offered in varying degrees of intensity based on the level of care in which the patient is placed and the subsequent treatment plan developed for that patient. The level of care provided shall be in accordance with that specified in the ASAM Patient Placement Criteria and with the following:

- a) Level 0.5: Early Intervention
An organized service, delivered in a wide variety of settings, for individuals (adult or adolescent) who, for a known reason, are at risk of developing substance-related problems. Early intervention services are considered sub-clinical or pre-treatment and are designed to explore and address problems or risk factors that appear to be related to substance use and to assist the individual in recognizing the harmful consequences of inappropriate substance use. The length of such service varies according to the individual's ability to comprehend the information provided and to use that information to make behavior changes to avoid problems related to substance use or the appearance of new problems that require treatment at another level of care. Early intervention services are for individuals whose problems and risk factors appear to be related to substance use but do not appear to meet any diagnostic criteria for substance related disorders. Examples of individuals who might receive early intervention are at-risk individuals (i.e., family members of an individual who is in treatment or in need of treatment) or DUI offenders classified at a moderate risk level.
- b) Level I: (formerly Outpatient)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Non-residential substance abuse treatment consisting of face-to-face clinical services for adults or adolescents. The frequency and intensity of such treatment shall depend on patient need but shall be a planned regimen of regularly scheduled sessions that average less than nine hours per week.

- c) Level II: (formerly Intensive Outpatient/Partial Hospitalization)
Non-residential substance abuse treatment consisting of face-to-face clinical services for adults or adolescents. The frequency and intensity of such treatment shall depend on patient need but shall be a planned regimen of scheduled sessions for a minimum of nine hours per week.
- d) Level III: (formerly Inpatient/Residential)
Residential substance abuse treatment consisting of clinical services for adults or adolescents. The frequency and intensity of such treatment shall depend on patient need but shall, except in residential extended care as defined in this Part, include a planned regimen of clinical services for a minimum of 25 hours per week. Inpatient care, with the exception of residential extended care as defined in this Part, shall require staff that are on duty and awake, 24 hours a day, seven days per week. During any work period, if professional staff as defined in Section 2060.309(a) of this Part are not on duty, such staff shall be available on call for consultation relative to any aspect of patient care.
Residential extended care shall require staff on duty 24 hours a day, seven days per week and that low intensity treatment services be offered at least five hours per week. Any staff providing clinical services shall meet the requirements for professional staff as defined in Section 2060.309(a) of this Part. Individuals who have been in residence for at least three months without relapse may be used to fulfill any remaining staff requirements.
- e) Level IV: Medically Managed Intensive Inpatient
Residential substance abuse treatment for patients whose acute bio/medical/emotional/behavioral problems are severe enough to require primary medical and nursing care services. Such services are for adults or adolescents and require 24 hours medically directed evaluation, care and treatment and that a physician see the patient daily.

Section 2060.403 Court Mandated Treatment

Any organization providing treatment to any individual under a specific court order that mandates such treatment shall:

- a) Have the organization's medical director develop admission criteria and any necessary associated clinical protocol that will allow physician confirmation for admission and initial placement in a level of care without a diagnosis of substance abuse or dependence for an individual under a court order for treatment. Such criteria and protocol shall be in accordance with all other provisions specified in

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Section 2060.417 of this Part; and

- b) Deliver such treatment in accordance with the provisions specified in the court order as long as there is clinical justification (as specified in Section 2060.419 and 2060.423) for the intensity and duration of such treatment; and
- c) Upon admission to treatment, require all necessary patient signatures authorizing the release of information, in accordance with Section 2060.319, in order to ensure effective communication with the court relative to progress in treatment, any recommended change in duration and intensity of treatment, unsuccessful or successful discharge from treatment and information about the individual's continuing care plan.

Section 2060.405 Detoxification

The medical director, as referenced in Section 2060.413 of this Part, shall develop protocols and authorize procedures for the medical supervision of and the staffing pattern for any patient receiving ambulatory or clinically managed residential detoxification as specified in the "ASAM" Patient Placement Criteria. This protocol, at a minimum, shall specify that such detoxification is for adults only (17 year olds may be included provided that their assessment includes justification based on behavior and life experience). All other detoxification shall be medically monitored or managed by a physician according to the specifications contained in the ASAM Patient Placement Criteria and as follows:

- a) **Medically Monitored**
Medically monitored detoxification is for adults only (17 year olds may be included provided that their assessment includes justification based on behavior and life experience). When utilized during inpatient treatment, at least two staff persons shall provide 24 hour observation, monitoring and treatment, one of whom shall meet the staff qualifications specified in Section 2060.309(c) of this Part.
- b) **Medically Managed**
Medically managed detoxification is for adults and adolescents. However, medically managed opiod maintenance therapy shall only be used for adolescents age 16 and 17. When utilized during inpatient treatment, at least two staff persons shall provide 24 hour observation, monitoring and treatment, one of whom shall meet the staff qualifications specified in Section 2060.309(c) of this Part. Medically managed detoxification also requires that a physician see the patient daily.

Section 2060.407 Group Treatment

Group treatment shall consist of didactic and counseling groups as follows:

- a) Didactic groups are, but are not limited to, a therapeutic activity whose primary purpose is to educate patients and their significant others on a specific treatment related topic in a group setting. All didactic groups shall be led or supervised by professional staff or by

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

other professionals with credentials specific to the subject matter of the didactic group following a lesson plan approved by the organization. Justification for all patients who attend any didactic group needs to be documented. Didactic groups should not exceed an average of 24 people.

- b) Counseling groups are, but are not limited to, a therapeutic activity whose primary purpose is to allow patients or their significant others an opportunity to process issues related to their treatment in a group setting. Counseling groups can have a specific focus (i.e., women, relapse, cocaine, etc.) but are generally less educational and more process oriented than didactic groups. All counseling groups shall be facilitated by professional staff. Justification for all patients who attend any counseling group needs to be documented as an assessed need. Counseling groups should have an average size of twelve patients but at no time shall exceed 15 patients per group.

Section 2060.409 Patient Education

All organizations shall develop a patient education plan that specifies all patient education that is available at the facility and ensures that all patients are informed about this plan and the mandatory elements of it (as specified in this Section) prior to or during the development of the treatment plan. Patient education may be provided individually or in a group in accordance with the group size specifications contained in Section 2060.407 of this Part. Such education shall be provided to each patient at least once and documented as such in the patient record. Upon subsequent admissions, the need for such education may be determined by the organization. At a minimum, the patient education plan shall include the following:

- a) Information about the benefits and risks of all medications, laboratory tests and treatment protocol, all rules relative to patient conduct, patient rights and all Department rules relative to confidential patient information as referenced in Section 2060.319 of this Part.
- b) Initial AIDS risk reduction counseling and education services and tuberculosis information consisting of the following components:
 - 1) Education relative to infectious disease control and HIV/AIDS which shall provide information about the etiology and transmission of HIV infection and associated risk behaviors, symptomatology and clinical progression of HIV infection and AIDS and their relationship to substance abuse behavior, prevention of transmission and risk reduction (including information about needle sharing, sexual transmission, transmission to infants, etc.), the availability of counseling and testing services, the confidentiality rights of the patient regarding such counseling, testing and HIV status and relapse prevention.
 - 2) Education relative to infectious disease control and tuberculosis which shall include information about its transmission and prevention, the importance of diagnosis, the requirement for skin

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

testing and the interpretation of skin test results, the importance of x-rays for positive test results and HIV infected persons, the importance of treatment regimens and the basic symptoms associated with tuberculosis.

- c) Upon completion of any mandatory education specified in this Section, documentation shall be placed in the patient record. Such documentation shall specify the type of education received, the date received, and shall be signed by the patient if such documentation is maintained separately from the treatment plan.

Section 2060.411 Recreational Activities

Recreational activities may be provided to patients if they:

- a) are identified in the treatment plan as an assessed need; and
b) are conducted under the supervision of staff. Recreational activities shall not average more than one-fourth of the treatment services received for any patient in any ASAM level of care.

Section 2060.413 Medical Services

a) Medical Director

- 1) Any organization providing treatment services shall designate a medical director, who is licensed and in good standing to practice medicine in all its branches in Illinois, who shall oversee all medical procedures.
- 2) The medical director may be part-time or serve on a consulting basis and the name and professional license number of the medical director shall be designated on the application for licensure.
- 3) The medical director as well as all medical and nursing staff shall read and comply with this Part.
- 4) The Department shall be notified in writing, within ten calendar days, of any change in medical directors.

b) Medical Screening

- 1) The medical director shall develop and authorize a medical screening form which shall be completed for each patient prior to admission to Levels I-IV care that shall be used, at a minimum, to assess acute intoxication and/or withdrawal potential, biomedical conditions or complications, and emotional/behavioral conditions and complications. As such, the medical screening shall include, but not be limited to, inquiry in the following areas:

- A) primary complaint per patient;
- B) date of last physical exam and the name of the patient's primary care physician;
- C) history of substance use;
- D) history of past withdrawal symptoms;
- E) history of concurrent medical symptoms, complications or conditions including sexual activity and risk for pregnancy;

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- F) history of concurrent psychiatric symptoms, complications or conditions including suicide/homicide potential;

G) history of recent trauma (including physical/sexual abuse);

H) hospitalizations;

I) medications currently prescribed and any allergies to medications; and

J) infectious or communicable diseases.

- 2) The medical director shall designate the factors in a medical screening, including a determination of the patient's risk for HIV or tuberculosis infection, and the specific medications prescribed or used by a patient that would require physician review if such medical screening is not conducted by a physician.

- 3) The purpose of physician review is to determine the immediate need for a medical referral for a physical or psychiatric examination. If determined necessary, physician review may be by phone, facsimile transmission, or in person, and shall occur within 24 hours after admission to Level IV care, within 48 hours after admission to Level III care, and within 72 hours after admission to Levels I and II care.

- 4) A patient shall be referred for medical, surgical, obstetric, prenatal or psychiatric treatment or laboratory services as determined necessary by the medical director or other physician.

- 5) All pregnant women admitted for any type of detoxification shall be subject to physician review as defined in subsection (b)(3) of this Section.

- 6) Any patient under the age of twelve admitted to adolescent treatment shall be subject to physician review as defined in subsection (b)(3) of this Section.

c) Physical Examinations

- 1) The medical director shall develop protocol and authorize procedures for any physical examination of a patient which shall, at a minimum, specify the professional requirements for any individual who shall conduct such physical examinations under the supervision of the medical director.

- 2) Physical examinations are not required for any patient in Level I or II care unless otherwise indicated by the specifications in subsection (b)(3) of this Section.

- 3) All inpatients (Levels III and IV care), with the exception of those individuals in residential extended care as defined in this Part, shall undergo a physical examination within 72 hours after admission if on prescription medication or pregnant. All other patients in such care shall undergo a physical examination within 7 days after admission.

- 4) Patients may provide documentation of a physical examination completed within 7 calendar days prior to admission and such examination may be accepted by the medical director in lieu of an additional physical examination.

- d) All organizations shall have first aid kits and, when such services

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

are not directly provided, a written agreement with a licensed hospital or medical center for the provision of physical examinations, laboratory tests and emergency medical services and, if applicable, for high risk prenatal care and transportation during emergencies.

e) When nursing services are provided, a registered nurse shall plan, assign, supervise and evaluate all nursing care.

f) Medication dispensary services shall be in accordance with the Medical Practice Act of 1987 [225 ILCS 60]; the Pharmacy Practice Act [225 ILCS 85]; the Illinois Controlled Substances Act [720 ILCS 570]; the Poison Prevention Packaging Act (15 U.S.C. 1471); substances requiring special packaging (16 CFR 1700.14); and rules and regulations of the U.S. Drug Enforcement Administration (21 CFR 1301.71-1301.76, 1304, and 1307.2 (1989)).

g) The administration or dispensing of patient-owned medications shall comply with the following:

- 1) patients shall surrender all medications on admission;
 - 2) medications brought by patients shall not be administered unless they can be absolutely identified and unless written orders to administer these specific drugs are given by the authorized prescriber and are confirmed in writing in the patient record;
 - 3) self-administration of medication shall be permitted only when specifically ordered by the authorized prescriber;
 - 4) self-administration of medication shall be documented, including the date, time, and dosage of all medications issued;
 - 5) in those cases where patients are unable to self-medicate, medication shall be dispensed or administered only by a practitioner. An exemption from these requirements may be requested provided that an alternate protocol for handling patient-owned medications is submitted and that the protocol is approved by the medical director;
 - 6) any drugs that the patient brings that are not used shall be packaged, sealed, and stored, and, if approved by the authorized prescriber, returned to the patient, family, or significant others at the time of discharge; and
 - 7) medications for minors who are in residence with patients shall be reviewed by the authorized prescriber. Permission to keep medication at bedside in their possession and self administer to one's dependent minors shall be given by the authorized prescriber.
- h) Opioid Maintenance Therapy
- 1) Any treatment service that uses methadone or LAAM for the treatment of opioid addiction shall comply with the provisions of 21 CFR 291.505 (1995).
 - 2) The social security number for each patient shall be obtained and used in all circumstances requiring patient identification; i.e., medication logs, take-home bottles, exception requests, and general correspondence.
 - 3) Organizations shall obtain prior written approval from the

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Department for exceptions as referenced in 21 CFR 505 (1995) relative to more than a three day supply of take-home medication and shall utilize the Department's Schedule H when requesting such exceptions. Documentation of each such exception granted or any other exception granted by organization staff shall be maintained in the patient record. Such documentation shall include, but need not be limited to:

- A) the circumstances that made the exception necessary;
 - B) the dates and locations involved and the methadone or LAAM dosage; and
 - C) the name, title and signature of the staff person who granted the exception.
- 4) On the first day of each month a log listing all exceptions granted during the previous month shall be forwarded to the Department. Organizations shall also utilize medication accounting forms supplied by the Department. These forms shall be completed weekly and maintained for inspection by State and federal inspectors or investigators either on-site or via mail.
 - 5) Triplicate medication logs for dispensing methadone or LAAM shall also be used. These logs are provided by the Department and are official prescription forms which shall be signed by the authorized prescriber and forwarded to the Department every week. Computer generated medication logs may be utilized when approved by and compatible with Department data/prescription needs.

Section 2060.415 Infectious Disease Control

- a) Licensees shall be in compliance with guidelines issued by the U.S. Centers for Disease Control "Recommendations for Prevention of HIV Transmission in Health Care Settings." MMWR 1987;36 (no. 2S) known as "Universal Precautions", and "Update: Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and other Bloodborne Pathogens in Healthcare Settings." MMWR 1988;37 (no. 24), and with the Department of Labor rules for Occupational Exposure to Bloodborne Pathogens, 29 CFR Part 19.10.1030.
- b) Tuberculosis Control and Services
 - 1) Any organization providing treatment services shall have its Medical Director or other designated staff be responsible for developing, reviewing annually and evaluating the effectiveness of a tuberculosis infection control plan based on a tuberculosis risk assessment of the facility following the protocol for conducting a tuberculosis (TB) risk assessment in a health care facility in Guidelines for Preventing the Transmission of Mycobacterium Tuberculosis in Health Care Facilities, MMWR 1994 (no. RR13), hereafter referred to as CDC Guidelines, which should, at a minimum, include:
 - A) a medical screening of each patient for infectious, communicable tuberculosis as required in Section 2060.411(b)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

of this Part:

- B) identification of patients at increased risk of being infected with tuberculosis, using a standardized screening tool, and provision of tuberculosis services, either directly or through referral with other public, nonprofit or private entities;
 - C) procedures for the immediate reporting of patients with, or suspected of having, active, infectious tuberculosis to the local tuberculosis control agency and a process for isolation of such patients from the general population until the patient is determined to be non-infectious. Provisions shall be made for respiratory isolation (by linkage with other health care providers and the local tuberculosis control agency) for substance abuse treatment if and when possible and appropriate;
 - D) procedures for providing prompt and appropriate curative therapy directly by the organization or by referral. Such medical care provided shall be consistent with standards specified by the Centers for Disease Control and Prevention, Treatment of Tuberculosis and Tuberculosis Infection in Adults and Children (American Thoracic Society, Medical Society of the American Lung Association and U.S. Department of Health and Human Services). Am. J. Respir. Crit. Care Med. vol. 149, pp. 1359-1374, 1994;
 - E) procedures (by way of linkage with other health care providers and with the local health department) for isolation of patients who may have active infectious tuberculosis;
 - F) procedures for lessening the risk of environmental transmission within the facility; and
 - G) procedures for meeting State reporting requirements while adhering to confidentiality requirements specified in Section 2060.319 of this Part and in 42 CFR Part 2.
- 2) Employee Skin Testing and Management
- A) All staff shall have a tuberculin skin test using the Mantoux method (5TU, PPD) at hire, annually and as indicated in the CDC Guidelines (or authentic documentation of a skin test within the past three months, or of completion of previous medical treatment of the disease, or of preventive therapy). The test shall be read within 48 to 72 hours by personnel trained in accordance with guidance from the local tuberculosis agency.
 - B) The organization shall establish procedures requiring medical evaluation for personnel with positive skin tests or with signs and symptoms of active tuberculosis disease; requiring preventive therapy for personnel with tuberculosis infection, unless medically contraindicated; and requiring leave and/or restriction from the patient population as

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- necessary in cases of active infectious tuberculosis.
- C) Staff who have an initial negative skin test result but who have not had a documented negative skin test result during the 12 preceding months shall be retested using the Mantoux method within one to three weeks after the initial test. If the second test is positive, the person should be considered previously infected.
 - D) Staff with negative tests shall be retested at least every 12 months and upon a known or suspected exposure to tuberculosis.
 - E) The organization shall document and have available for review by the Department the results of all staff tuberculin testing.
- 3) Patient Skin Testing and Management
- A) The Medical Director of any organization providing treatment services shall develop a tuberculosis skin testing policy and procedure based on the tuberculosis risk assessment and tuberculosis infection control plan required in subsection (b)(1) of this Section.
 - B) Patient Testing
 - i) Each organization providing inpatient services (except for residential extended care) and/or providing opioid maintenance therapy shall either directly or through arrangements with other public, nonprofit or private entities, provide each patient with medical tuberculosis screening services including at a minimum a PPD skin test (5TU, PPD), placed within seven calendar days after admission and read within 48 to 72 hours after placement by personnel trained in accordance with guidance from the local tuberculosis agency. If a patient is known to be immunosuppressed a chest x-ray, anergy battery, sputum smear and/or sputum culture/sensitivity study for HIV/AIDS may be used instead of a PPD skin test.
 - ii) Patients with prior positive skin tests or diagnoses who have not completed treatment or prevention therapy shall be medically evaluated for symptoms of infectious tuberculosis.
 - C) The result of the Mantoux skin test in mm of induration, the date given and the date read shall be recorded in the patient's medical file.
 - D) Patients who have a positive reaction of 5 mm or more to the skin test or who have signs and symptoms compatible with tuberculosis disease shall be medically evaluated for tuberculosis or shall be referred for such evaluation. Admission of patients with symptoms of active tuberculosis may be delayed until there is adequate documentation that the person is not infectious.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

E) Organizations shall follow the CDC Guidelines regarding appropriate testing after the initial test (i.e., in determining appropriate retesting, the need for energy testing, testing required upon exposure and additional considerations for interpreting test results). Patients with negative reactions to the initial tuberculin test shall be retested using the Mantoux method (5TU PPD) at least annually or after any known exposure to infectious tuberculosis.

F) Procedures shall be established for providing prompt and appropriate curative and preventive therapy directly by the organization or by referral. Medical care provided shall be consistent with standards specified by the Centers for Disease Control and Prevention, Treatment of Tuberculosis and Tuberculosis Infection in Adults and Children (American Thoracic Society, Medical Society of the American Lung Association and U.S. Department of Health and Human Services). Am. J. Respir. Crit. Care Med. vol. 149, pp. 1359-1374, 1994.

4) Facility Environment-Transmission Prevention

A) An organization which provides respiratory isolation at a facility shall assure that it has consulted engineers or other professionals with expertise in ventilation engineering to ensure that its facility ventilation systems meet applicable federal, State and local standards.

B) Persons with suspected or known infectious tuberculosis shall not be allowed to enter living or work areas of a treatment facility. The process for handling persons prior to and while screening for infectious tuberculosis shall be done as to avoid environmental exposure to other patients and staff.

Section 2060.417 Assessment for Patient Placement

An assessment shall be conducted prior to admission to any level of care. This assessment shall be an individual face-to-face service and shall include collection of demographic data as referenced in Section 2060.325(1) of this Part and:

- a) For admission to Level 0.5, Early Intervention:
 - 1) review of any specific conditions of court supervision or probation including any prior substance abuse screenings or evaluations conducted prior to admission (i.e., DUI); and
 - 2) sufficient assessment to screen for, or rule out, substance related disorders.
- b) For admission to Levels I-IV care:
 - 1) an evaluation of the severity of the six dimensions established in the "ASAM Patient Placement Criteria";
 - 2) a recommendation for placement in Levels I-IV care as established

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

in the "ASAM Patient Placement Criteria";

- 3) a diagnostic impression of substance abuse and/or dependence as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Washington, D.C.: American Psychiatric Association (DSM-IV) which shall be confirmed as a diagnosis by a physician.

c) Confirmation of diagnosis and initial patient placement:

- 1) the medical director shall define protocols and authorize procedures for confirmation of diagnosis or admission without diagnosis as specified in Section 2060.403(a) of this Part and initial patient placement in Levels I-IV care.

- 2) such confirmation may be made by telephone or facsimile transmission if so authorized by procedure.

- 3) such confirmation shall occur within 24 hours after admission for Level IV care and within 72 hours after admission for Levels I-III care.

- 4) confirmation of diagnosis and admission is not necessary for Level 0.5 Early Intervention.

- d) Prior to admission, or in the case of an intoxicated patient, as soon as stabilization occurs, basic information about treatment services shall also be provided and shall include the following:

- 1) the procedures and treatment services the patient will receive;
- 2) if possible, an introduction to the professional staff members who serve as the primary contact with the facility for the client;

- 3) the hours during which services are available;

- 4) the risks, side effects, and benefits of all medications and treatment procedures used, especially those that are experimental;

- 5) the cost, itemized when possible, of services to be rendered;

- 6) any limitations placed on duration of services; and

- 7) the rules and regulations of the facility applicable to the patient's conduct.

- e) A written, dated, and signed informed consent form shall be obtained from the patient, or the patient's legal guardian, and, from family members who also participate, for use or performance of the following activities:

- 1) experimental medications;

- 2) hazardous on experimental assessment procedures;

- 3) recording on audiovisual equipment;

- 4) participation of the patient in research projects; and

- 5) testing for Human Immunodeficiency Virus (HIV).

Section 2060.419 Assessment for Treatment Planning

Upon admission and initial placement in Levels I-IV of care, the clinical assessment of the patient shall continue in order to develop the treatment plan. Patient needs shall be determined through specific inquiry and analysis

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

in the six dimensions established in the ASAM Patient Placement Criteria and include but not be limited to:

- a) a review of the medical screening, any subsequent physician referrals or changes in the patient's health, including a determination of acute intoxication and/or withdrawal potential, the current substance use or abuse pattern and medication use, and history of prior treatment for substance abuse or dependence and number of relapses, if applicable;
- b) any previous emotional or behavioral problems and treatment and the patient's current emotional and behavioral functioning, including any history of previous or on-going physical, emotional or sexual abuse, in order to detect problems that may be life threatening or indicative of severe personality disorganization or that may seriously affect the patient's progress in treatment;
- c) an analysis of the patient's home and/or living environment including child care needs, religion, childhood, military service history, education and vocational history, financial status, social or peer group, family constellation and history of substance abuse and a determination of the need for participation of any family members or significant others in the patient's treatment, information on pending criminal or misdemeanor charges or any specific conditions of court supervision, probation or parole including any prior substance abuse evaluations conducted in specific reference to an offense of DUI.

Section 2060.421 Treatment Plans

- a) At a minimum, the initial patient treatment plan shall be based on the patient's presenting concerns as evidenced from the biomedical and emotional/behavioral assessment. Such treatment plan shall be developed within 24 hours after admission for any patient in Level IV care, seven calendar days after admission for any patient in Level III or II care and 14 calendar days after admission for any patient in Level I care.
- b) The initial treatment plan shall be confirmed by the medical director or physician according to established protocol (i.e., in person, by telephone, facsimile transmission, standing order), in accordance with the time frames established in subsection (a) of this Section. Such confirmation shall be documented in the patient record by date and signature of the physician making such confirmation. The treatment plan shall also be signed and dated by the patient, indicating participation in the development of the plan, and by the professional staff member assigned primary responsibility for services to the patient.
- c) The treatment plan shall be written, gender and culturally appropriate and individual to each patient.
- d) The treatment plan shall list problems (e.g., an injury, dysfunction or loss), goals (a statement to guide resolution or reduction of the problem), objectives (observable and measurable signposts on the way to achieving the goals), methods (the treatment services to be

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

provided, the site of those services, the intensity and duration of those services) and a time table for achieving the goals and objectives of treatment that are within the time frame of the patient's expected participation.

- e) The treatment plan shall describe and include the frequency of all activities, referrals and consultations planned for the patient and/or any family members or significant others and shall designate all professional staff members assigned to provide or coordinate referrals for such services. Referrals or consultations for other needed services not directly provided may include, but not be limited to, prenatal care, other medical care, child care services or any other appropriate legal, financial, social or mental health service.

Section 2060.423 Subsequent Patient Placement

- a) Ongoing assessment of the patient's progress shall occur in order to determine continued stay in the level of care in which the patient was placed, the need to move to another level of care or to discharge. Such assessment shall also be consistent with criteria from the six dimensions established in the ASAM Patient Placement Criteria. As the patient moves through treatment, progress in these six dimensions shall be assessed continually and recorded in progress notes. At a minimum, the treatment plan and all subsequent progress notes shall be reviewed as follows:
 - 1) upon movement to any other level of care based on any change in the level of patient functioning such as completion of treatment plan goals and objectives or identification of new or previously undetected or disclosed patient needs; or
 - 2) every 30 calendar days for patients receiving Level I or residential extended care, every 14 calendar days for patients receiving Level II or III care and every 24 hours for patients receiving Level IV care; or
 - 3) prior to discharge.
- b) Documentation of subsequent patient placement shall:
 - 1) be by progress note in the patient record;
 - 2) include the participation of the patient;
 - 3) be initialed and dated by the patient;
 - 4) be initialed and dated by the professional staff member conducting the review; and
 - 5) be authorized as evidenced by a progress note in the patient record written and dated and initialed by the medical director or a physician working under his or her supervision if there is a change in the ASAM Biomedical Conditions and Complications dimension.

Section 2060.425 Progress Notes

- a) Progress notes shall reflect patient progress and shall be consistent

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

with the clinical assessment, level of care and expectation of progress. Progress notes shall be entered in the patient record and include the following:

- 1) documentation of any service (including specific date, time and duration of each service) rendered to the patient, except for HIV counseling and testing, and its relevance to a specific goal or objective in the patient treatment plan;
 - 2) chronological documentation of the patient's progress in treatment;
 - 3) documentation of any change in the patient's behavior; and
 - 4) descriptions of the patient's response to treatments, the outcome of treatment, and the response of significant others to events in the course of treatment.
- b) Progress notes shall be signed or initialed and dated in ink by the individual providing the service to the patient and the individual making the entry.
- c) Any entry that includes a subjective interpretation of the patient's progress shall include a description of the actual behavior observed.

Section 2060.427 Discharge

a) Organizations shall develop discharge and exclusionary criteria consistent with customary clinical standards accepted within the community.

b) Discharge planning shall begin at admission and shall:

- 1) be designed to help maintain, support and enhance patient progress in treatment;
- 2) result in a continuing care plan for the individual that identifies recommended activities, support groups and/or referrals that can support and enhance such patient progress;
- 3) identify specific and measurable patient involvement in such activities in the event that accountability by the patient is required for any case management or monitoring organization (i.e., circuit courts, offices of probation, office of the Illinois Secretary of State, parole officers, employers, etc.); and
- 4) identify all necessary steps to reinstitute treatment services.

c) After the patient is discharged from all treatment, a discharge summary shall be entered in the patient record within 15 days. This summary shall include:

- 1) the reason for discharge and the progress of the patient relative to each goal and objective in the treatment plan;
- 2) a prognostic statement of the patient's condition at discharge including any continued use of prescribed medications; and
- 3) identification of all referrals and/or activities recommended for the patient, after discharge, that will help maintain, support and enhance progress made in treatment.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

SUBPART E: REQUIREMENTS - INTERVENTION LICENSES

Section 2060.501 General Requirements

In addition to the provisions specified in this Subpart, all DUI evaluation, DUI risk education and designated program services shall meet all applicable provisions specified in Subparts A, B, and C of this Part.

Section 2060.503 DUI Evaluation

a) The purpose of a DUI evaluation is to conduct an initial screening to obtain significant and relevant information from a DUI offender about the nature and extent of the use of alcohol or other drugs in order to:

- 1) identify the offender's risk to public safety for the circuit court of venue or the Office of the Secretary of State; and
- 2) recommend an initial intervention to the DUI offender and to the circuit court of venue or the Office of the Secretary of State.

b) DUI evaluation services shall be provided to any offender under the same terms and conditions regardless of ability to pay.

- 1) If an offender provides proof of indigence, in accordance with poverty guidelines established by the U.S. Department of Health and Human Services and contained in the Department's annual Drunk and Drugged Driving Prevention Fund (DDDPF) billing manual, that offender is then eligible for the indigency fee.
- 2) All reasonable efforts shall be made to collect the indigency fee from the offender prior to completion of the evaluation service.

However, if the fee is not collected from the indigent offender by the completion of services, the evaluation shall still be released to the appropriate circuit court of venue or the Office of the Secretary of State in accordance with the provisions specified in this Section.

- 3) The unassessed cost of the service may be submitted as a claim to the Department for reimbursement from the Drunk and Drugged Driving Prevention Fund (DDDPF). Such claims shall be submitted in accordance with the procedures specified in the Department's most current fiscal year DDDPF billing manual.
- 4) Any organization choosing not to submit such claims shall still provide services to indigent offenders and can only assess the indigency fee for the service.

c) All evaluations shall consist of a face-to-face individual interview. The evaluation shall be conducted at the facility unless otherwise specified by court rule.

d) Each DUI offender shall be given a copy of the Department's "Informed Consent" form and a copy of the Department's brochure which explains the DUI evaluation process.

- 1) This brochure shall be read by or to the offender prior to the provision of the evaluation.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 2) The "Informed Consent" specifies that any information provided by the DUI offender will be released to the circuit court of venue, the Office of the Secretary of State and/or the Department and explains that the consent of the offender is not required for this disclosure.
- 3) The "Informed Consent" also requires the offender to specify where he or she underwent any previous evaluations as a result of the most current DUI offense and to provide a copy of such evaluations, if completed, to the current DUI evaluator.
- 4) Each DUI offender shall sign the "Informed Consent" form indicating his or her understanding of the DUI evaluation process and disclosure requirements or initial the "Informed Consent" form indicating refusal to proceed with the evaluation. A copy of this form shall be placed in the DUI offender record.
- 5) If the offender refuses to sign, or refuses to present copies of other evaluations completed, written notice of such refusal shall be sent to the circuit court of venue or the Office of the Secretary of State and the evaluation will be terminated.
- e) Written policies and procedures shall be established that protect the non-disclosure privilege of DUI offenders which, at a minimum, shall include provisions to ensure that no evaluation information shall be released to any party other than the DUI offender, the Illinois circuit court of venue or its court officials as specified by local court rules, the Office of the Secretary of State or the Department without the written consent of the DUI offender. Any release of information relative to alcohol and drug treatment received by the DUI offender requires the written consent of the offender.
- f) The evaluation shall be structured and scheduled in order to ensure that, prior to its completion, the following occurs:
 - 1) collection of a comprehensive chronological history of substance use from first use to present including alcohol, prescription and non-prescription drugs, exposure to intoxicating compounds and illegal drugs, that specifies the frequency and patterns of use, type and amount of substance used and any change in the use or abuse pattern and the reason for the change;
 - 2) a determination of the extent to which the substance use has caused marital, family, legal, social, emotional, vocational, physical and/or economic impairment;
 - 3) an analysis of the offender's verbal description of:
 - A) alcohol and drug related legal history, driving history (all offenses), and any related substance use or chemical test results (blood alcohol concentration-BAC) and all substances used that resulted in all arrests including the most recent DUI arrest;
 - B) past history of substance abuse evaluations, alcohol or drug treatment and/or self-help group involvement;
 - C) family history of substance abuse.
 - 4) an analysis of:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- A) objective test results from either the Driver Risk Inventory (DRI) or Mortimer/Filkins test;
- B) the offender's current driving record as documented on the "Alcohol/Drug Related Driving Offenses" summary form from the Office of the Secretary of State or a copy of the actual "Court Purposes" driving abstract supplied to the circuit court of venue by the Office of the Secretary of State; and
- C) the "Law Enforcement Sworn Report" (issued to the offender at the time of the arrest for DUI) which identifies the chemical test result BAC or the refusal to submit to chemical testing relative to the most current DUI arrest.
- g) All information obtained during the evaluation shall be analyzed and the offender's risk to public safety shall be determined. However, such determination shall be considered an initial finding that may be subject to change when more comprehensive and definitive information is obtained from the offender during participation in any recommended intervention. The determination of risk shall be minimal, moderate, significant, or high as follows:
 - 1) Minimal Risk
Such offenders shall have no prior conviction or court ordered supervisions for DUI and no prior statutory summary suspensions and no prior reckless driving conviction reduced from DUI; and a BAC of less than .15 as a result of the arrest for DUI; and no other symptoms of substance abuse or dependence.
 - 2) Moderate Risk
Such offenders shall have no prior conviction or court ordered supervision for DUI and no prior statutory summary suspension and no prior reckless driving conviction reduced from DUI; and a BAC of .15 to .19 or a refusal of chemical testing as a result of the most current arrest for DUI; and no other symptoms of substance abuse or dependence.
 - 3) Significant Risk
Such offenders shall have one prior conviction or court ordered supervision for DUI or one prior statutory summary suspension or one prior reckless driving conviction reduced from DUI; and/or a BAC of .20 or higher as a result of the most current arrest for DUI; and/or other symptoms of substance abuse.
 - 4) High Risk
Such offenders shall have symptoms of substance dependence and/or, within a ten year period from the date of the most current (third) arrest, any combination of two prior convictions or court ordered supervisions for DUI or prior statutory summary suspensions or prior reckless driving convictions reduced from DUI.
- h) After the determination of risk, a corresponding intervention shall be recommended. However, such recommendation shall be viewed as the minimum necessary and, as such, not the determinate intervention. Any subsequent information relevant to the offender's substance use or

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

arrest history discovered during the offender's participation in risk education, early intervention and/or treatment shall be considered pertinent in formulating a recommendation for further services necessary to reduce the offender's risk to public safety. Initially, the following interventions for each designation of risk shall be selected and recommended:

- 1) Minimal Risk

Successful completion of a minimum of ten hours of DUI risk education as defined in Section 2060.505 of this Part.
- 2) Moderate Risk

Successful completion of a minimum of ten hours of DUI risk education as defined in this Part; a minimum of twelve hours of early intervention as defined in Section 2060.401(a) provided over a minimum of four weeks with no more than three hours per day in any seven consecutive days; subsequent completion of any and all necessary treatment; and, after discharge, active ongoing participation in all activities specified in the continuing care plan, if so recommended following completion of the early intervention. This early intervention and any subsequent treatment shall be as specified in the ASAM Patient Placement Criteria and shall be conducted by an organization meeting the requirements specified in subsection (j) of this Section and Section 2060.401 of this Part.
- 3) Significant Risk

Successful completion of a minimum of ten hours of DUI risk education as defined in this Part; a minimum of 20 hours of substance abuse treatment; and upon completion of any and all necessary treatment, and, after discharge, active on-going participation in all activities specified in the continuing care plan. This treatment shall be as specified in the ASAM Patient Placement Criteria and shall be conducted by an organization meeting the requirements specified in subsection (j) of this Section and Section 2060.401 of this Part.
- 4) High Risk

Successful completion of a minimum of 75 hours of substance abuse treatment; and upon completion of any and all necessary treatment, and, after discharge, active on-going participation in all activities specified in the continuing care plan. This treatment shall be as specified in the ASAM Patient Placement Criteria and shall be conducted by an organization meeting the requirements specified in subsection (j) of this Section and Section 2060.401 of this Part.
- 5) A summary of the DUI evaluation, the assigned risk and the corresponding intervention shall be documented on the Department's "Alcohol and Drug Evaluation Uniform Report", which is produced by the DUI Service Reporting System (DSRS). All sections of this form shall be complete and it shall be signed by the offender at the facility.
- j) Upon completion of the evaluation all offenders:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 1) who need substance abuse treatment shall be referred for appropriate services to organizations licensed pursuant to the Act or to individuals who are otherwise licensed in Illinois or any other state to provide such services.
- 2) who need DUI risk education as defined in this Part shall be referred to such services licensed by the Department.
- 3) shall verify that they have been shown, prior to referral, a listing of organizations as specified in subsection (j)(1) and (2) of this Section unless an alternative process is established by court rule. Such verification shall be on the Department's "Referral List Verification Form".
- k) The evaluation is complete when all of the above referenced information is obtained and the "Alcohol and Drug Evaluation Uniform Report" is signed by the offender.
 - 1) The "Alcohol and Drug Evaluation Uniform Report" shall be provided directly to the circuit court of venue, unless another court repository is specified by court rule. A copy shall also be given to the DUI offender upon completion of payment or as otherwise specified in subsection (b)(2) of this Section.
 - 2) If the offender will be requesting a judicial driving permit from the circuit court of venue, an "Alcohol and Drug Evaluation Report Summary" shall also be completed. This form is supplied by the Office of the Secretary of State and required by Section 6-201 of the Illinois Driver Licensing Law [625 ILCS 5/6-201] and should be sent directly to the circuit court of venue, unless another court repository is specified by court rule.
- l) Evaluations shall be scheduled and completed so that the "Alcohol and Drug Evaluation Uniform Report" can be sent directly to the circuit court of venue at least five calendar days prior to the offender's court date, unless otherwise specified by court rule.
- m) The evaluator shall be available to provide testimony relative to the DUI evaluation when summoned by the circuit court of venue, the Office of the Secretary of State or the DUI offender.
- n) The circuit court of venue or the Office of the Secretary of State, whichever is applicable, shall be notified, within five calendar days, when a DUI offender does not complete an evaluation or refuses to sign the evaluation. Such notification shall also be made, within five calendar days, when an offender does not return to sign the evaluation after 30 calendar days from the last face-to-face contact. Such information shall be communicated using the Department's "Notice of Incomplete/Refused DUI Evaluation" form.
- o) In addition to meeting the provisions specified in Section 2060.325 of this Part, the following documents shall also be contained in the DUI offender's record:
 - 1) a copy of the offender's "Alcohol and Drug Evaluation Uniform Report" and narrative information to support the conclusions summarized in this report and a copy of the "Alcohol and Drug Evaluation Report Summary" if the offender requested judicial

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- driving privileges;
- 2) a copy of the Driver Risk Inventory (DRI) report or Mortimer/Filkens test;
 - 3) documentation to support any subsequent change in risk assignment or intervention;
 - 4) a copy of the "Informed Consent Release" form;
 - 5) documentation of the offender's driving record and chemical tests results;
 - 6) a copy of "Notification of Incomplete or Refused Evaluation" form, if applicable; and
 - 7) a copy of the "Referral List Verification" form.

Section 2060.505 DUI Risk Education

- a) The purpose of DUI risk education is to provide orientation to offenders regarding the impact of alcohol and other drug use on individual behavior and driving skills and to allow offenders to further explore the personal ramifications of their own substance use and abuse.
- b) DUI risk education services shall be provided to any offender under the same terms and conditions regardless of ability to pay.
 - 1) If an offender provides proof of indigence, in accordance with poverty guidelines established by the U.S. Department of Health and Human Services and published in DASA's annual Drunk and Drugged Driving Prevention Fund (DDDPF) billing manual, that offender is then eligible for the indigency fee.
 - 2) All reasonable efforts shall be made to collect the indigency fee from the offender prior to completion of the risk education service. However, if the fee is not collected from the indigent offender by the completion of services, documentation of successful completion of risk education shall still be released to the appropriate circuit court of venue or the Office of the Secretary of State in accordance with the provisions specified in this Section.
 - 3) The unassessed cost of the service may be submitted as a claim to the Department for reimbursement from the Drunk and Drugged Driving Prevention Fund (DDDPF). Such claims shall be submitted in accordance with the procedures specified in the Department's most current fiscal year DDDPF billing manual.
 - 4) Any organization choosing not to submit such claims shall still provide services to indigent offenders and can only assess the indigency fee for the service.
- c) The risk education curriculum shall include:
 - 1) information on alcohol as a drug;
 - 2) physiological and pharmacological effects of alcohol and other drugs including their residual impairment on normal levels of driving performance;
 - 3) other drugs, legal and illegal, and their effects on driving when

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- used separately and/or in combination with alcohol;
- 4) substance abuse/dependence and the effect on individuals and families;
 - 5) blood alcohol concentration (BAC) level and its effect on driving performance;
 - 6) information about Illinois driving under the influence laws and associated penalties;
 - 7) factors that influence the formation of patterns of alcohol and drug abuse; and
 - 8) information about referrals for services that can address any identified problem that may increase the risk for future alcohol/drug related difficulty.
- d) Risk education courses shall include a minimum of ten hours of classroom instruction, divided into at least four sessions held on different days. No session shall exceed three hours in length.
 - e) A pre-test and post-test shall be designed and administered to offenders to assess the effectiveness of the service and any increase in knowledge in the curriculum areas. The pre-test and post-test shall be submitted for review by the Department at the time of application for licensure or license renewal.
 - f) In order to successfully complete risk education, the offender shall attend each session in its entirety and in proper sequence and achieve a score on the post-test of at least 75%.
 - g) Upon successful completion, a "DUI Risk Education Certificate of Completion" shall be issued to each offender. Such certificate is produced by the DUI Service Reporting System (DSRS). All sections of this form shall be complete and it shall be signed by the DUI Risk Education Instructor.
 - h) Audio-visual presentations shall not comprise more than 25% of the total class time.
 - i) No more than 24 participants shall be permitted in any one class session.
 - j) Written rules shall be developed and provided to each DUI offender upon enrollment, which address the following:
 - 1) criteria for admission;
 - 2) criteria for disqualification;
 - 3) responsibilities of the DUI offender;
 - 4) sobriety and drug-free requirements during class; and
 - 5) course outline, content and class schedule.
 - k) Prior to enrollment in risk education classes, the DUI offender shall provide a copy of his or her completed "Alcohol and Drug Evaluation Uniform Report" indicating that risk education has been recommended.
 - l) The organization that provided the evaluation or, if applicable, treatment service shall be notified in the event that information is discovered or disclosed while the offender is in risk education that indicates the offender was not correctly evaluated and is in need of additional services. Such notification shall also be made to the circuit court of venue or the Office of the Secretary of State, if

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- applicable.
- m) The circuit court of venue or the Office of the Secretary of State, whichever is applicable, shall be notified, within five calendar days, when a DUI offender is involuntarily terminated from risk education. This information shall be communicated by using the Department's "Notice of Involuntary Termination from DUI Risk Education" form.
 - n) Each risk education instructor shall be available to provide testimony relative to the offender's participation in risk education when summoned by the circuit court of venue, the Office of the Secretary of State or the DUI offender.
 - o) In addition to meeting the provisions specified in Section 2060.325 of this Part, the following documents shall also be contained in the DUI offender's record:
 - 1) a copy of the "Alcohol and Drug Evaluation Uniform Report";
 - 2) the pre- and post-test specifying percentage scores;
 - 3) a copy of the "DUI Risk Education Certificate of Completion";
 - 4) a copy of "Notice of Involuntary Termination from DUI Risk Education" form, if applicable; and
 - 5) a copy of any notification regarding a change in the risk level assignment and intervention.

Section 2060.507 Designated Program

- a) The Department shall designate an organization (hereafter referred to as the designated program) to provide assessment and case management services for the Illinois courts. Such services are subject to the exemptions specified in Section 40-5 of the Act and are for any substance abuser who is charged with or convicted of a crime and who may elect treatment as an alternative to incarceration under the supervision of such organization pursuant to the provisions of Article 40 of the Act.
- b) The designated program shall provide the services specified in this Section in a uniform manner to districts or circuits of the Illinois courts throughout the State either directly or by subcontract or referral.
- c) The designated program shall have a written agreement with the Chief Judge of each circuit court receiving services from the program that identifies such services and specifies how they will be provided in relation to the operation of that specific court.
- d) Assessment
 - 1) The designated program shall conduct an assessment, in accordance with the provisions specified in Section 2060.417 of this Part, to determine if the offender is likely to be rehabilitated through substance abuse treatment.
 - 2) The designated program shall obtain the offender's informed consent prior to the provision of services.
 - 3) The assessment shall include, at a minimum, collection of demographic data as specified in Section 2060.325(1) of this

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Part.

- A) If it is determined that the offender has had a previous sentence of probation, the designated program shall request a statement from the relevant probation department.
- B) This statement shall, at a minimum, summarize the offender's probation record, including, when available, known history of substance use, the identity of any treatment program utilized by the offender and any record of compliance with court ordered conditions.
- 4) Upon completion of the assessment, the designated program shall make a recommendation to the court relative to the offender's substance use and/or abuse and the likelihood of the offender's rehabilitation through substance abuse treatment.
 - A) Such notification to the court shall be made to the probation department during the offender's pre-sentence investigation, unless otherwise ordered by the court.
 - B) The designated program shall send written notification to the offender regarding the result of the assessment and its subsequent recommendation.
- e) Case Management
 - 1) The designated program shall provide case management services which will assist the offender with admission to treatment, assist the court in final dispositions, and assist treatment providers in identifying any special treatment needs the offender may have. At a minimum, such services shall include:
 - A) written notification to the court regarding the offender's initial or subsequent admission to treatment which shall include identification of the treatment program; address and telephone number; the name of the professional treatment staff assigned to the case; the name, address and telephone number of the designated program staff assigned to the case; and the date of the admission to treatment;
 - B) written monthly reports to the court relative to the offender's status in treatment; and
 - C) a written report summarizing the offender's treatment and rehabilitation upon discharge from the designated program.
 - f) The designated program shall have mutual linkage agreements with any treatment program utilized for referrals that ensures communication and documentation of offender progress in treatment.
 - g) The designated program shall identify all criteria that the offender shall meet in order to participate in the program and how such criteria will be used to measure the offender's progress in treatment.
 - h) The designated program shall specify the method that will be utilized to intervene with an offender should such offender fail to comply with the program's criteria or those specified in the offender's treatment plan.
 - i) The designated program shall conduct all chemical test services in accordance with the provisions specified in Section 2060.415(a) of

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

this Part.

- j) The designated program shall document all court appearances, including any status or violation hearing and all decisions of the court and any subsequent required actions. Procedures shall be established to specify the activities required before, during and after any hearing and the staff responsible for such.
- k) The designated program shall maintain offender records in accordance with the provisions specified in Section 2060.325 of this Part. In addition, each offender record shall include:
 - 1) documentation of the offender's informed consent and any other consent to release information form;
 - 2) the document which contains the results of the assessment, including psychological evaluation reports and prior treatment information that determined the offender's substance abuse problem and readiness for treatment;
 - 3) a copy of the notification of assessment results and recommendations to the offender and the court;
 - 4) copies of any other correspondence, court order or record of judicial proceedings related to the assessment or any other case management service;
 - 5) documentation of admission to treatment and a copy of the notification to the court of such admission;
 - 6) documentation of any chemical test results;
 - 7) documentation of all court appearances;
 - 8) written reports from the treatment provider relative to the offender's progress in treatment;
 - 9) copies of any warning letters and/or jeopardy meeting reports;
 - 10) copies of any case conference meeting report; and
 - 11) copies of all documents related to the offender's discharge from the designated program.

1) Offender Discharge

- 1) The designated program shall establish standardized procedures for discharge of the offender from the designated program. Such procedures shall include, at a minimum:
 - A) the process for review of offender progress in treatment to determine if a change in status is justified;
 - B) the specific instances that would lead to a change in offender status and the procedure to be followed when such determination is made;
 - C) the process that will be followed when there is a judicial request to reassess a discharge offender; and
 - D) a process to ensure that proper notice is given to the courts and the offender prior to and upon successful or unsuccessful discharge.
- 2) The designated program shall send written reports of successful discharge to the court within ten calendar days after discharge. Such reports shall contain the offender's intended residency, if known, summary of treatment progress, and recommendations for any

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

further treatment.

- 3) The designated program shall send written reports of unsuccessful discharge to the courts within three calendar days after discharge. Such reports shall contain the offender's intended substance abuse or who recently have completed substance abuse treatment services or who may be receiving such treatment services at another licensed facility. In order to be called a "recovery home", the home shall:
 - a) provide a structured alcohol and drug free environment for congregating living that shall offer regularly scheduled peer-led or community gatherings (self-help groups, etc.) that are held a minimum of five days per week;
 - b) have written linkage agreements with substance abuse providers in accordance with the provisions specified in Section 2060.329 of this Part;
 - c) establish a referral network to be utilized by residents for any necessary medical, mental health, vocational or employment resources;
 - d) establish a budget which specifies monthly operating expenses and demonstrates sufficient income to meet these expenses plus emergency reserve by providing documentation of access to a minimum sum equivalent to the total of two months of operating expenses;
 - e) comply with all applicable zoning and local building ordinances and the provisions specified in Chapter 20 (Lodging or Rooming Houses) of the National Fire Protection Association's (NFPA) Life Safety Code of 1994 for any building housing 16 or fewer residents and with the provisions specified in Chapter 17 (Existing Hotels and Dormitories) of the NFPA Life Safety Code of 1994 for any building housing 17 or more residents;
 - f) maintain fire, hazard, liability and other insurance coverages appropriate to the administration of a recovery home;
 - g) employ at least one full-time Recovery Home Operator who is responsible for the daily operations at the recovery home (i.e., fiscal, personnel, rule compliance, etc.) who shall:
 - 1) either:
 - A) hold clinical certification from IAODAPCA or receive such certification within two years after the date of employment; or
 - B) have a minimum of 300 hours of education in the field of substance abuse, 50% of which shall have been under clinical supervision of a professional staff as defined in Section

Section 2060.509 Recovery Homes

Recovery homes are alcohol and drug free housing components whose rules, peer-led groups, staff activities and/or other structured operations are directed toward maintenance of sobriety for persons in early recovery from substance abuse or who recently have completed substance abuse treatment services or who may be receiving such treatment services at another licensed facility. In order to be called a "recovery home", the home shall:

- a) provide a structured alcohol and drug free environment for congregating living that shall offer regularly scheduled peer-led or community gatherings (self-help groups, etc.) that are held a minimum of five days per week;
- b) have written linkage agreements with substance abuse providers in accordance with the provisions specified in Section 2060.329 of this Part;
- c) establish a referral network to be utilized by residents for any necessary medical, mental health, vocational or employment resources;
- d) establish a budget which specifies monthly operating expenses and demonstrates sufficient income to meet these expenses plus emergency reserve by providing documentation of access to a minimum sum equivalent to the total of two months of operating expenses;
- e) comply with all applicable zoning and local building ordinances and the provisions specified in Chapter 20 (Lodging or Rooming Houses) of the National Fire Protection Association's (NFPA) Life Safety Code of 1994 for any building housing 16 or fewer residents and with the provisions specified in Chapter 17 (Existing Hotels and Dormitories) of the NFPA Life Safety Code of 1994 for any building housing 17 or more residents;
- f) maintain fire, hazard, liability and other insurance coverages appropriate to the administration of a recovery home;
- g) employ at least one full-time Recovery Home Operator who is responsible for the daily operations at the recovery home (i.e., fiscal, personnel, rule compliance, etc.) who shall:
 - 1) either:
 - A) hold clinical certification from IAODAPCA or receive such certification within two years after the date of employment; or
 - B) have a minimum of 300 hours of education in the field of substance abuse, 50% of which shall have been under clinical supervision of a professional staff as defined in Section

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 2060.309 of this Part; and
- 2) have a minimum of 2000 hours of work experience or 4000 hours of volunteer experience in the field of substance abuse of which 1500 hours shall have been in direct clinical services; and
 - 3) have two years of continuous sobriety; and
 - 4) provide three letters of recommendation from substance abuse professional staff as defined in Section 2060.309 of this Part; and
 - 5) provide a signed and dated acceptance of the Code of Ethics as established by the Illinois Association of Residential Extended Care Programs (IARECP), 891 South Route 53, Addison, Illinois 60101; and
 - h) have on-site at least one Recovery Home Manager who oversees all recovery home activities under the direction of the Recovery Home Operator. Recovery Home Managers shall:
 - 1) hold certification as a National Certified Recovery Specialist (NCRS) as specified by the Association of Halfway House Alcoholism Programs of North America, Inc., 680 Stewart Avenue, St. Paul, Minnesota, 56106, or receive such certification within two years after the date after employment; or
 - 2) hold certification from IAODAPCA or receive such certification within two years after the date of employment; or
 - 3) have one year of continuous sobriety and 60 hours of substance abuse education and training verified by transcripts, certificates of attendance and/or third party signed statements.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Driving Under the Influence Programs
- 2) Code Citation: 77 Ill. Adm. Code 2056
- 3) Section Numbers: Adopted Action:

2056.1	Repealed
2056.5	Repealed
2056.10	Repealed
2056.15	Repealed
2056.20	Repealed
2056.25	Repealed
2056.30	Repealed
2056.35	Repealed
2056.40	Repealed
2056.45	Repealed
2056.50	Repealed
2056.55	Repealed
2056.60	Repealed
2056.61	Repealed
2056.75	Repealed
2056.200	Repealed
2056.205	Repealed
2056.210	Repealed
2056.215	Repealed
2056.220	Repealed
2056.225	Repealed
2056.300	Repealed
2056.301	Repealed
2056.303	Repealed
2056.305	Repealed
2056.310	Repealed
2056.315	Repealed
2056.320	Repealed
2056.325	Repealed
2056.330	Repealed
2056.400	Repealed
2056.405	Repealed
2056.410	Repealed
2056.415	Repealed
2056.420	Repealed
2056.500	Repealed
2056.505	Repealed
2056.510	Repealed
2056.515	Repealed
2056.520	Repealed
2056.525	Repealed
2056.600	Repealed

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED REPEALER

2056.601 Repealed
 2056.603 Repealed
 2056.605 Repealed
 2056.607 Repealed
 2056.610 Repealed
 2056.620 Repealed
 2056.625 Repealed
 2056.630 Repealed
 2056.635 Repealed
 2056.640 Repealed
 2056.645 Repealed
 2056.650 Repealed
 2056.655 Repealed
 2056.660 Repealed
 2056.700 Repealed
 2056.705 Repealed
 2056.710 Repealed

4) Statutory Authority: Implementing the Illinois Vehicle Code [625 ILCS 5] and the Alcoholism and Other Drug Dependency Act [20 ILCS 301].

5) Effective Date of Rule(s): October 3, 1996

6) Do these rulemakings contain an automatic repeal date? No

7) Do these rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: October 3, 1996

9) Notice(s) of Proposal Published in Illinois Register: May 24, 1996

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s): All provisions of this rule are being repealed as they have been revised and merged with substance abuse treatment licensure rules in a new adopted rule, Part 2060.

16) Information and questions regarding this adopted repealer shall be directed to:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED REPEALER

Norma J. Seibert
 Illinois Department of Alcoholism
 and Substance Abuse
 222 South College, 2nd Floor
 Springfield, IL 62704
 217/782-0685
 TDD: 217/524-5103

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Beverage Alcohol Sellers and Servers Education and Training (BASSET) Programs

- 2) Code Citation: 77 Ill. Adm. Code 2057

- 3) Section Numbers:
- | | |
|----------|-------------|
| 2057.101 | New Section |
| 2057.105 | New Section |
| 2057.110 | New Section |
| 2057.115 | New Section |
| 2057.120 | New Section |
| 2057.125 | New Section |
| 2057.130 | New Section |
| 2057.135 | New Section |
| 2057.140 | New Section |
| 2057.145 | New Section |
| 2057.150 | New Section |
| 2057.155 | New Section |
| 2057.160 | New Section |
| 2057.165 | New Section |
| 2057.170 | New Section |

Adopted Action:

- 4) Statutory Authority: Implementing the Alcoholism and Other Drug Dependency Act [20 ILCS 301].

- 5) Effective Date of Rule(s): October 3, 1996

- 6) Do these rulemakings contain an automatic repeal date? No

- 7) Do these rules contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: October 3, 1996

- 9) Notice(s) of Proposal Published in Illinois Register: May 24, 1996

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Difference(s) between proposal and final version: Added clarification regarding exception requests.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this rule replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rule(s): This new rule incorporates all licensing

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

regulations for Beverage Alcohol Sellers and Servers Education and Training (BASSET) programs previously contained in Part 2056 (under repeal). The only change contained in these regulations is the elimination of mandatory attendance for all instructors at an orientation provided by the Department of Alcoholism and Substance Abuse (DASA).

- 16) Information and questions regarding this adopted rule shall be directed to:

Norma J. Seibert
Illinois Department of Alcoholism and Substance Abuse
222 South College, 2nd Floor
Springfield, IL 62704
217/782-0685
TDD: 217/524-5103

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED REPEALER

1) Heading of the Part: Licensure of Alcoholism and Substance Abuse Treatment, Intervention and Research Programs

2) Code Citation: 77 Ill. Adm. Code 2058

3) Section Numbers:Adopted Action:

2058.102 Repealed
 2058.105 Repealed
 2058.110 Repealed
 2058.115 Repealed
 2058.120 Repealed
 2058.125 Repealed
 2058.130 Repealed
 2058.136 Repealed
 2058.200 Repealed
 2058.205 Repealed
 2058.210 Repealed
 2058.215 Repealed
 2058.220 Repealed
 2058.225 Repealed
 2058.230 Repealed
 2058.235 Repealed
 2058.300 Repealed
 2058.306 Repealed
 2058.309 Repealed
 2058.312 Repealed
 2058.315 Repealed
 2058.318 Repealed
 2058.319 Repealed
 2058.321 Repealed
 2058.324 Repealed
 2058.327 Repealed
 2058.330 Repealed
 2058.333 Repealed
 2058.336 Repealed
 2058.339 Repealed
 2058.342 Repealed
 2058.343 Repealed
 2058.345 Repealed
 2058.348 Repealed
 2058.351 Repealed
 2058.354 Repealed
 2058.357 Repealed
 2058.360 Repealed
 2058.363 Repealed
 2058.366 Repealed
 2058.369 Repealed
 2058.372 Repealed
 2058.374 Repealed

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED REPEALER

2058.376 Repealed
 2058.378 Repealed
 2058.380 Repealed
 2058.382 Repealed
 2058.384 Repealed
 2058.386 Repealed
 2058.388 Repealed
 2058.390 Repealed
 2058.392 Repealed
 2058.394 Repealed
 2058.396 Repealed
 2058.400 Repealed
 2058.405 Repealed
 2058.410 Repealed
 2058.500 Repealed
 2058.600 Repealed
 2058.602 Repealed
 2058.603 Repealed
 2058.610 Repealed
 2058.625 Repealed
 2058.630 Repealed
 2058.700 Repealed
 2058.705 Repealed
 2058.800 Repealed
 2058.805 Repealed
 2058.810 Repealed
 2058.815 Repealed
 2058.900 Repealed
 2058.905 Repealed
 2058.1000 Repealed

4) Statutory Authority: Implementing the Illinois Vehicle Code [625 ILCS 5], the Illinois Controlled Substances Act [720 ILCS 570] and the Alcoholism and Other Drug Dependency Act [20 ILCS 301].

5) Effective Date of Rule(s): October 3, 1996

6) Do these rulemakings contain an automatic repeal date? No

7) Do these rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: October 3, 1996

9) Notice(s) of Proposal Published in Illinois Register: May 24, 1996

10) Has JCARE issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: None

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED REPEALER

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s): All provisions of this rule are being repealed as they have been revised and merged with substance abuse intervention licensure rules in a new adopted rule, Part 2060.
- 16) Information and questions regarding this adopted repealer shall be directed to:

Norma J. Seibert
 Illinois Department of Alcoholism
 and Substance Abuse
 222 South College, 2nd Floor
 Springfield, IL 62704
 (217) 782-0685
 TDD: (217) 524-5103

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Schedule of Maximum Rates to be Charged for Check Cashing and Writing Money Orders by Community and Ambulatory Currency Exchanges
- 2) Code Citation: 38 Ill. Adm. Code 130
- 3) Section Numbers:
 130.30 Proposed Actions:
 130.60 Amendment
 Amendment
- 4) Statutory Authority: 205 ILCS 405/19.3
- 5) Effective Date of rules: October 1, 1996
- 6) Does this rulemaking contain and an automatic repeal date? No
- 7) Does this rulemaking contain incorporation by reference? No
- 8) Date filed in agencies Principal Office: October 1, 1996
- 9) The date the Notice of Proposed rules were published in the Illinois Register: Volume 20, Issue 16-April 19, 1996 (20 Ill. Reg. 5770)
- 10) Has JCAR issued a statement of objection to the rules? No
- 11) Difference between the proposed and adopted versions: None
- 12) Have all changes agreed upon by JCAR and the agency been made as indicated in the letter of agreement issued by JCAR to the agency? None
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any proposed amendments pending on this Part? No
- 15) Summary and purpose of rulemaking: To allow currency exchanges to remain financially viable. This rule will not result in increased costs for local governments.
- 16) Information and questions regarding this adopted rule shall be directed to:
 M. Rose Kelly, Chief Counsel
 Department of Financial Institutions
 100 W. Randolph, Suite 15-700
 Chicago, IL 60601
 312/814-2008

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

PART 130

SCHEDULES OF MAXIMUM RATES TO BE CHARGED FOR CHECK CASHING
AND WRITING OF MONEY ORDERS BY COMMUNITY AND AMBULATORY
CURRENCY EXCHANGES

Section

- 130.10 Authority
- 130.20 Purposes
- 130.30 Maximum Rate - Check Cashing
- 130.40 Maximum Rate - Issuance of Money Orders
- 130.50 Disclosure Requirements - Check Cashing and Money Orders
- 130.60 Effective Date

AUTHORITY: Implementing Sections 19.3 and 19.4 and authorized by Section 19 of the Currency Exchange Act [205 ILCS 405].

SOURCE: Adopted at 2 Ill. Reg. 5, p. 1, effective January 27, 1978; amended at 4 Ill. Reg. 51, p. 104, effective January 1, 1981; emergency amendment at 5 Ill. Reg. 265, effective December 19, 1980, for a maximum of 150 days; codified at 7 Ill. Reg. 11721; amended at 9 Ill. Reg. 1375, effective January 17, 1985; amended at 10 Ill. Reg. 11892, effective July 1, 1986; amended at 20 Ill. Reg. 13596, effective OCT 1 1986.

Section 130.30 Maximum Rate - Check Cashing

- a) The Maximum Rate. The maximum rate to be charged by community and ambulatory currency exchanges for cashing any check shall not exceed the following: ~~an amount equal to 1-28 of the face amount of the check plus a service charge of ninety cents (\$.90);~~
 - 1) For all checks \$500 or less, an amount equal to 1.4% of the face amount of the check plus a service charge of ninety cents (\$.90);
 - 2) For all checks \$500.01 or greater, an amount equal to 1.85% of the face amount of the check.
- b) Prohibition. No community or ambulatory currency exchange may charge a fee for cashing any check in excess of the maximum rate as set forth in (a) above.

(Source: OCT 1 1986 at 20 Ill. Reg. 13596, effective)

Section 130.60 Effective Date

The Schedules of Maximum Rates to be Charged for Check Cashing and Writing Money Orders by Community and Ambulatory Currency Exchanges will be effective as of January 1, 1997 January 17 1981.

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 20 Ill. Reg. 13596, effective OCT 1 1986)

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Administration
- 2) Code Citation: 59 Ill. Adm. Code 101
- 3) Section Numbers: Adopted Action:
101.70 New Section
- 4) Statutory Authority: Implementing Section 10-5 of the Illinois Administrative Procedure Act [5 ILCS 100/10-5] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/-104 and Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5].
- 5) Effective Date of Rulemaking: October 10, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: October 1, 1996
- 9) Notice of Proposal Published in Illinois Register: 20 Ill. Reg. 7276 (May 24, 1996).
- 10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: The Department made the following changes in response to recommendations from the Administrative Code Division: The Administrative Code Division did not recommend any changes.

The Department made the following changes in response to recommendations from the Joint Committee on Administrative Rules: All changes recommended by the Joint Committee were made except for the following recommendations which were made during the first notice period.

Notice page - The comma was not added after "Springfield". In past rulemakings, the Department has been asked to remove the comma after Springfield. In addition, the Postal Service prefers that there be no punctuation between the city and State in an address using the two-letter abbreviation for the State.

Line 393 - Instead of changing this to read "hearing officer's", the Department changed this to read "administrative law judge's to the consistent with language used elsewhere in the rulemaking.

The Department made the following changes in response to public comments: The Department did not receive any public comments.

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

The Department made the following technical changes: Section 101.110, which was added to Part 101, effective June 7, 1996 (20 Ill. Reg. 7856) was added to the table of contents for this Part. In addition, a reference to Sections 7 and 8 of the Illinois Grant Funds Recovery Act [30 ILCS 705/7 and 8] was added to the Authority Note and the Main Source Note was updated to reflect the adoption of Section 101.110.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Section 101.70 sets out the procedures for most of the Department's hearings except for those controlled by federal statutes or having unique statutory procedures. This Section applies primarily to licensure and certification decisions and will eliminate inconsistent procedures that now exist between Department rules.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Judith Hollenberg
Rules Administrator
Illinois Department of Mental Health and Developmental Disabilities
401 Stratton Building
217/524-8920

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

U.S.D.C., N.D. IL) (June 2, 1993)) and Section 10-5 of the Illinois Administrative Procedure Act [5 ILCS 100/10-5] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5] and Section 10-10 of the Illinois Administrative Procedure Act [5 ILCS 100/10-10].

SOURCE: Effective February 1, 1977, corrected April 1, 1977; amended at 3 Ill. Reg. 50, p. 277, effective December 3, 1979; amended at 4 Ill. Reg. 17, p. 205, effective April 15, 1980; codified at 5 Ill. Reg. 10716; amended at 8 Ill. Reg. 12265, effective July 1, 1984. Section 101.60 recodified to 44 Ill. Adm. Code 1250 at 8 Ill. Reg. 18490; amended at 15 Ill. Reg. 9316, effective June 18, 1991; emergency amendment at 15 Ill. Reg. 14663, effective October 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 2137, effective January 24, 1992; amended at 18 Ill. Reg. 4179, effective March 3, 1994; amended at 20 Ill. Reg. 7856, effective June 7, 1996; amended at 20 Ill. Reg. 13599, effective OCT 1 0 1996.

Section 101.70 Conduct of hearings and appeals

- a) Applicability
- 1) This Section shall govern all formal administrative hearings for the Department except for those hearings governed by the Department's rules at 59 Ill. Adm. Code 101.75, 101.110, 103.106, 108, 112, 120, 121, 122, 132 and 135. All contested cases and licensing actions which are required by law to be preceded by a notice and opportunity to be heard shall be governed by this Section. If a licensing statute prescribes certain procedures or requirements for licensure hearings, those procedures or requirements shall be followed as though they were set forth in this Section.
- 2) This Section shall also apply to hearings conducted by the Department as required by federal law. In the event there is a conflict between federal regulations and this Section, federal regulations shall prevail.
- 3) This Section shall not preclude any informal administrative procedures established by the Department to resolve licensing issues or conflicts prior to initiating any action requiring a formal hearing.
- b) Definitions
- For the purposes of this Section, the following terms are defined.

"Administrative law judge." The person appointed by the Director to preside at the formal administrative hearing. The term is synonymous with any other term used to refer to the person conducting such hearings.

"Appellant." The person or agency that requests a hearing.

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 101
ADMINISTRATION

- Section
- 101.10 Illinois Department of Mental Health and Developmental Disabilities -- Internal Organization (Repealed)
- 101.20 Service recipients activity fund in Department facilities
- 101.30 Payments to the account of service recipients
- 101.60 Service contracts (Recodified)
- 101.70 Conduct of hearings and appeals
- 101.75 Conduct of hearings and appeals for Bogard et al. v. Bradley et al. consent decree (88 C 2414, U.S.D.C., N.D. IL) (June 2, 1993)) class members
- 101.80 Conflict of interest
- 101.90 Specialized living centers
- 101.100 Community mental health and developmental disabilities service provider participation fee trust fund
- 101.110 Hearings and appeals under Sections 7 and 8 of the Illinois Grant Funds Recovery Act [30 ILCS 705/7 and 8]
- APPENDIX A Organization Charts (Repealed)
- ILLUSTRATION A Illinois Department of Mental Health and Developmental Disabilities (Repealed)
- ILLUSTRATION B Associate Director (Repealed)
- ILLUSTRATION C Division of Developmental Disabilities (Repealed)
- ILLUSTRATION D Division of Alcoholism (Repealed)
- ILLUSTRATION E Division of Management Services (Repealed)
- ILLUSTRATION F Division of Community Services and Interagency Affairs (Repealed)
- ILLUSTRATION G Region 1A Office (Repealed)
- ILLUSTRATION H Region 1B Office (Repealed)
- ILLUSTRATION I Region 2 Office (Repealed)
- ILLUSTRATION J Region 2 Developmental Disabilities (Repealed)
- ILLUSTRATION K Region 3A Office (Repealed)
- ILLUSTRATION L Region 3B Office (Repealed)
- ILLUSTRATION M Region 4 Office (Repealed)
- ILLUSTRATION N Region 5 Office (Repealed)

AUTHORITY: Implementing Section 2-105 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/2-105], Sections 6, 18.1, 20 and 22 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/6, 18.1, 20 and 22], Section 3.06 of the Specialized Living Centers Act [405 ILCS 25/3.06], Section 4A-101 of the Illinois Governmental Ethics Act [5 ILCS 420/4A-101], Sections 7 and 8 of the Illinois Grant Funds Recovery Act [30 ILCS 705/7 and 8] and Bogard et al. v. Bradley et al. consent decree (88 C 2414,

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

"Contested case" shall have the meaning ascribed to it in Section 1-30 of the Illinois Administrative Procedure Act (5 ILCS 100/1-30).

"Days." Working days unless otherwise specified.

"Department." The Department of Mental Health and Developmental Disabilities or successor agency.

"Director." The Director of the Department of Mental Health and Developmental Disabilities or his or her designee.

"Preponderance of the evidence." Proof sufficient to persuade the finder of fact that a proposition is more likely true than not true.

"Substantial evidence." Such evidence as a reasonable person can accept as adequate to support a conclusion.

c) Representation

An appellant may be represented during the hearing and appeals process by an attorney or other person of his or her choice. The appellant may also represent him or herself.

d) Notice

1) Notice of a Department decision shall be given according to the requirements of this Section unless the applicable statute requires otherwise. The notice of the decision shall contain:

- A) A statement of the right to a hearing;
- B) A statement that if the person desires a hearing, he or she must request a hearing in writing within 20 days after the date of receipt of the notice, with a brief statement of why he or she wants a hearing; and

C) The address where the request should be sent.

2) The notice of a hearing shall contain:

- A) A statement of the nature of the hearing;
- B) A statement of the time and place of the hearing and, if a pre-hearing conference is scheduled by the Department, the time and place of the conference;

C) A reference to the particular Sections of the statute and rules involved;

D) A statement of the legal authority under which the hearing is held;

E) A concise statement of the matters asserted;

F) A statement of the consequences of failing to respond to the notice;

G) The official file number;

H) The names and addresses of the administrative law judge and the parties involved; and

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

1) A statement of the right to be represented by the person of the appellant's choice, at his or her expense.

3) All notices of hearings shall be in writing and mailed to the parties at least ten days before the date of the hearing;

4) All notices under this Section shall be served either personally or by certified mail on the appellant or his or her agent(s) authorized to receive service of process unless the applicable statute requires a different form of service.

e) Preliminary review

On receipt of a letter requesting an appeal, the appropriate division of the Department shall conduct an informal review (which may include a meeting with the appellant) of the decision which is the basis for the appeal and, if indicated, reverse or modify its decision or take other action, as necessary. The Department shall send a letter to the appellant informing him or her of the outcome of the informal review.

f) Qualifications of administrative law judge

Administrative law judges shall meet the qualifications set out in the Department's rules at 2 Ill. Adm. Code 1027.

g) Disqualifications of administrative law judge

At any time prior to the issuance of the administrative law judge's recommended decision, the appellant may move to disqualify the administrative law judge on the grounds of bias or conflict of interest. Such a motion shall be made in writing to the Director, with a copy to the administrative law judge, setting out the specific instances of bias or conflict of interest. An adverse decision or ruling, in and of itself, is not grounds for disqualification. The administrative law judge's employment or contract as an administrative law judge by the agency is not, in and of itself, a conflict of interest. The appeal shall be suspended until the Director rules on the motion. The Director may decline to disqualify the administrative law judge, appoint another administrative law judge to hear the case or decide that the appeal should be granted.

h) Pre-hearing conferences

1) The administrative law judge may schedule a pre-hearing conference at his or her discretion. This conference shall be held prior to the hearing and shall be for the purpose of considering:

- A) The clarification of the issues;
- B) The possibility of obtaining admissions of fact or documents that would avoid unnecessary proof or testimony;
- C) The possibility of a resolution of the case without a hearing; and
- D) Any other matters that may aid in the disposition of the appeal.

2) If the pre-hearing conference results in a resolution of the appeal by agreement of the parties, the administrative law judge shall issue an order reciting the agreement and dismissing the appeal. Copies of the order shall be sent to the Department and

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

employment of the witness, as specified in Rule 203 of the Illinois Supreme Court (S. Ct. Rule 203), unless the witness waives such right in writing.

ii) Subpoenas

- 1) The administrative law judge may issue a subpoena to compel the attendance of a witness or the production of documents when such witness has or such documents contain relevant evidence but the evidence is not being presented by the party, witness or holder of a document. A party may also request the administrative law judge to issue a subpoena to compel the attendance of a witness or the production of documents. The request shall be either in writing or on the record and shall:
 - A) Identify the witness or document sought; and
 - B) State the facts that will be proven by each witness or document sought.
- 2) The administrative law judge shall grant or deny the request, either in writing or on the record. If the request for subpoena is granted, the administrative law judge shall, if necessary, reschedule the hearing to a specific date. The request for subpoena shall be denied only if the administrative law judge finds that the evidence sought is immaterial, irrelevant or cumulative. If the request for subpoena is denied, the administrative law judge shall proceed to conduct the hearing, and the specific reasons for denial of the request for subpoena shall be made part of the record on appeal.
- 3) If a witness fails to obey a subpoena, the party seeking enforcement of the subpoena shall prepare an application to the circuit court of the county in which the subpoenaed witness resides requesting enforcement of the subpoena, and shall present the application to the administrative law judge. If satisfied that the subpoena was properly served and that the application is in proper form, the administrative law judge shall sign the subpoena, or the attorney for the party seeking the subpoena may then file and prosecute the application to the circuit court. In such instance, the matter shall be continued pending the outcome of enforcement of the subpoena.

k) Conduct of hearings

- 1) All hearings shall be closed to the public.
- 2) Where, because of distances involved, it is impractical for the parties, witnesses or the administrative law judge to appear in the same site for a hearing, the administrative law judge has the authority to schedule a telephone hearing. Any party shall have a right not to participate in a telephone hearing, and any party electing not to participate in a telephone hearing shall be granted an in-person hearing. If a hearing is to be conducted by telephone, the notice shall so inform the parties and include instructions for providing the agency with any necessary telephone numbers. The in-person presence of some parties or

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

the appellant. The appellant's copy shall be sent by certified mail.

i) Discovery

- 1) Discovery such as interrogatories and depositions as provided for in the Rules of the Illinois Supreme Court (S. Ct. Rule 1) is at the discretion of the administrative law judge. Requests to take discovery must be made in writing to the administrative law judge with notice to all parties. Discovery may only be taken with the prior permission of the administrative law judge and is subject to the provisions of the Mental Health and Developmental Disabilities Confidentiality Act (740 ILCS 110).
- 2) Each party shall, on request by another party or the administrative law judge, serve on all other parties a list of potential witnesses who may be called on to testify at the hearing. Such list shall include the address or place of employment of each witness and shall be served within seven days after the receipt of the request.
- 3) The appellant shall, on request, be allowed to inspect and copy any documents which the Department intends to submit at the hearing. Such request shall be made at least two days before the hearing.
- 4) Depositions
 - A) The administrative law judge may order the taking of depositions, specifying the subject matter to be covered, of a person other than the appellant, under oral examination or written questions for use as evidence at the hearing. Provided:
 - i) The administrative law judge has determined that there is a need to preserve a person's testimony and there is a substantial possibility the person will be unavailable at the time of the hearing (such as when a witness has a scheduled vacation or an out of town trip); and
 - ii) Such request is made on motion by a party who gives notice of such motion to all other parties to the issue.
 - B) The taking of depositions shall be in accordance with the provisions for taking depositions in civil cases (Rules 203 through 217 of the Supreme Court (S. Ct. Rules 203-217)), and the order for the taking of a deposition may provide that any designated books, papers, documents or tangible objects that are not privileged be produced at the same time and place.
 - C) Any other parties to the issue shall have the right to confront and cross-examine any witness whose deposition is taken. The other parties may waive such right in writing, filed with the administrative law judge.
 - D) Depositions shall be taken in the county of residence or

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

witnesses at the hearing shall not prevent the participation of other parties or witnesses by telephone. A party to a telephone hearing must submit to the administrative law judge at least 10 days before the date of the scheduled hearing any documents that are intended to be introduced at the hearing. Copies of the documents must also be provided to any other party prior to the date of the scheduled hearing. All documents submitted to the administrative law judge will be identified on the record.

3) The administrative law judge:

- A) Shall regulate the course of the hearing;
- B) May hold an informal conference for the settlement or definition of the issues;
- C) Shall dispose of procedural requests;
- D) May continue the hearing from time to time when necessary;
- E) May examine witnesses; and
- F) Shall rule on the relevancy of evidence.

4) A party requiring an interpreter must provide an interpreter able and willing to translate verbatim from the witness' language into English or sign language, as appropriate, and vice versa. The administrative law judge will administer an interpreter's oath to any interpreter in accordance with Sections 8-1401 and 8-1402 of the Code of Civil Procedure [735 ILCS 5/8-1401 and 8-1402].

5) At the hearing, both parties may present written, physical and oral evidence. The Department shall have the burden of proving that there was substantial evidence of non-compliance with the Department's standards in licensing and revocation hearings. In all other cases, the appellant has the burden of coming forward with the evidence to show that the decision of the Department is incorrect. At the conclusion of the Department's presentation, the appellant may present written, physical and oral evidence. Written opening or closing arguments, legal memoranda, trial briefs or similar documents shall be permitted on motion granted. This requirement shall not prohibit the administrative law judge, sua sponte, from requesting that certain issues be briefed by the parties.

6) Evidence

- A) The rules of evidence and privileges as applied in the circuit courts of this State shall apply in these hearings. However, evidence not admissible under such rules shall be admitted if it is of a type commonly relied on by reasonably prudent persons in the conduct of their affairs. Irrelevant, immaterial or unduly repetitious evidence shall be excluded.

B) A party may conduct cross-examination of a witness subject to the evidentiary requirements in this subsection.

C) Notice may be taken of matters of which the circuit court of this State may take judicial notice. In addition, notice may be taken of generally recognized scientific or technical

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

facts within the Department's specialized knowledge. Parties shall be notified before or during the hearing of the material noticed and shall be given an opportunity to contest the material so noticed.

7) The hearing shall be either taped or stenographically recorded. The Department shall retain the tape or a copy of the transcript. If the appellant appeals the administrative law judge's decision, a copy of the tape or the transcript shall be provided to the appellant upon request. The Department may charge the appellant a reasonable fee for reproduction of the tape or transcript.

1) Failure of the party to appear at the scheduled hearing

- 1) Failure of the appellant to appear at the hearing at the time that the hearing is scheduled before the administrative law judge will result in a dismissal of the appeal.

2) If a party fails to appear and an adverse decision is rendered, that party may, by letter or on the record, request rehearing of the appeal from the administrative law judge.

3) Requests to rehear the appeal must be filed no later than 10 days after the hearing or the date that the party first knew or should have known of the scheduled hearing, whichever is later.

4) Based on the statements in the request and the facts of the record, the administrative law judge shall:

- A) If the request meets the requirements of subsection (1)(2) of this Section, schedule a hearing with notice to all parties including a copy of the request to any opposing parties; or

B) Deny the request, if the request fails to meet the requirements of subsection (1)(2) of this Section, and issue a written decision setting forth the reasons for the denial. In such cases, if an adverse decision on the merits was issued, a timely appeal to the denial of a timely request for rehearing shall also constitute a timely appeal on the merits of the matter.

5) At the start of the hearing, any party may present its objections to the request. The administrative law judge will consider all objections and responses and supporting evidence, if any, and will grant or deny the request for a rehearing at that time based on the preponderance of the evidence. If the administrative law judge denies the request, he or she will terminate the proceedings. If the administrative law judge grants the request, he or she will proceed to conduct a hearing on the merits.

6) If there is an objection to the request, the administrative law judge's decision, in writing or on the record, will contain any findings of fact and reasons for the decision to grant or deny the request. All denials of requests for rehearing shall be in writing.

m) Administrative law judge's recommended decision

Within 20 working days after the close of the record, the

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

administrative law judge shall issue his or her recommended decision to the Director. The decision shall contain findings of fact, conclusions of law, the reasons for the decision and a recommended disposition of the case. Copies of the recommended decision shall be sent to both parties. The Department's copy shall be sent to the appropriate Director's staff member. The appellant's copy shall be sent via certified mail.

n) The record

The record for a hearing shall include:

- 1) All notices, motions and rulings;
- 2) All evidence received;
- 3) A statement of matters officially noticed;
- 4) Any offers of proof, objections and rulings;
- 5) The administrative law judge's recommended decision; and
- 6) Any ex parte communication prohibited by Section 10-60 of the Illinois Administrative Procedure Act [5 ILCS 100/10-60].

o) Director's decision

1) The Director shall be provided with the record. Within 20 days after receipt of the record, the Director shall issue a final decision adopting, modifying or reversing the recommended decision. The decision shall include findings of facts and conclusions of law. The Director shall adopt the recommended decision if he or she determines that the recommended decision was supported by substantial evidence. Copies of the final decision shall be sent to the appellant, the appropriate Director's staff member and the administrative law judge. The Director's decision shall constitute a final administrative decision in accordance with Section 3-101 of the Administrative Review Law [735 ILCS 5/3-101] and shall include a statement to that effect.

p) Computation of time

- 1) The working day on which any notice, decision or order is mailed by the agency shall be excluded in computing time.
- 2) The working day on which notice is due from a party or action is required by a party shall be included in the computation of time.
- 3) The date on the document shall be rebuttable evidence that it was mailed on that date.
- 4) A postmark placed on the envelope by the United States Postal Service shall be conclusive evidence of the date of mailing.

q) Ex parte communication

- 1) The administrative law judge shall not initiate ex parte communications, directly or indirectly, in any matter in connection with any substantive issue, with any interested person or party. If the administrative law judge receives any such ex parte communication, including any documents, he or she shall inform the other parties of the substance of any such oral communication and provide copies of any such written communication or documents. The other party shall be given an

DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED AMENDMENTS

- 2) Nothing shall prevent the administrative law judge from communicating ex parte about routine matters such as requests for continuances or opportunities to inspect the file, as long as all parties are informed of the substance of the ex parte communication. The date and type of communication, the persons involved and the results of such routine communications shall be part of the record.

r) Withdrawal of appeal

The appellant may voluntarily withdraw his or her appeal by signed written statement filed with the administrative law judge or by oral statement on the record at any time before the administrative law judge's decision is issued. All parties will receive written notice of the withdrawal.

s) Waiver

Compliance with this Section or with any or all provisions of the Illinois Administrative Procedure Act regarding contested cases may be waived by written stipulation of all parties.

(Source: Added at 20 Ill. Reg. 13599, effective OCT 10 1996)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Property Tax Code

2) Code Citation: 86 Ill. Adm. Code 110

3) Section Numbers: Adopted Action:

110.101 Amendment
110.105 Amendment
110.110 Amendment
110.115 Amendment
110.120 Amendment
110.125 Amendment
110.130 Amendment
110.135 Amendment
110.140 Amendment
110.145 Amendment
110.150 Amendment
110.155 Amendment
110.160 Amendment
110.165 Amendment
110.170 Amendment
110.175 Amendment
110.180 Amendment
110.190 Amendment

4) Statutory Authority: 35 ILCS 200

5) Effective Date of Amendment(s): October 8, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: October 8, 1996

9) Notice of Proposal Published in Illinois Register: May 24, 1996, 20 Ill. Reg. 7305

10) Has JCAR issued a Statement of Objection to these Amendments? No

11) Differences between proposal and final version:

1. In lines 28 and 1749, changed "less" to "fewer".

2. In lines 31-33, corrected authority note.

3. In line 50, added "emergency expired May 30, 1994".

4. In line 120, changed "of" to "after".

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

5. In line 124, deleted comma after "Code".
6. In line 175, struck "Regulation" and added "Section".
7. In line 275, added period after "questionnaire".
8. In lines 290 and 299, added a comma after "e.g.".
9. In line 308, deleted "/1-1".
10. In line 310, deleted "/1".
11. In line 321, changed "rule" to "Section".
12. In line 334, added opening parenthesis before "a)".
13. In line 379, added and struck "b)" after "e)".
14. In line 406, added and struck "c)" after "f)".
15. In line 415, added and struck "d)" after "g)".
16. In line 420, added and struck "e)" after "h)".
17. In line 482, added and struck "f)" after "j)".
18. In line 442, changes "less" to "fewer".
19. In line 473, corrected IAC.
20. In lines 479 and 480, corrected ILCS.
21. In line 483, struck quotes and deleted "/" in ILCS.
22. n line 512, changed "of" to "in".
23. In line 545, changed "of" to "after".
24. In line 577, changed "18-185 through 18-245" to "Div 5.
25. In line 590, struck "of" and added "after".
26. In line 605, changed "of" to "after".
27. In line 609, changed "less" to "fewer".
28. In line 631, changed "less" to fewer"; added a comma after "inhabitants".

DEPARTMENT OF REVENUE
NOTICE OF ADOPTED AMENDMENTS

29. In line 663, changed "less" to "fewer".
30. In line 712, deleted "5/".
31. In line 724, added a comma after "inhabitants".
32. In line 836, struck "and" after semicolon.
33. In line 991, corrected code cite.
34. In line 1001, deleted comma after "(g)".
35. In line 1035, changed "less" to "fewer".
36. In line 1056, changed "of" to "after".
37. In line 1069 and 1072, deleted "o'clock".
38. In line 1078, underlined "b)".
39. In line 1094, struck "b)" and added "c)".
40. In line 1104, struck "c)" and added "d)".
41. In line 1615, retained comma after "e.g.".
42. In line 1629, changed "less" to "fewer".
43. In lines 1652 and 1669, added comma after "e.g.".
44. In lines 1676 and 1684, changed "are" to "is".
45. In line 1711, deleted the underline from the comma.
46. In line 1735, capitalized "state".
47. In lines 1749 and 1752, changed "less" to "fewer".
48. In line 1755, corrected ILCS cite.
49. In line 1785, capitalized "state".
50. In lines 1791-1792 and 1796, capitalized "Social Security".
51. In line 1811, capitalized "State".
52. In line 1812, underlined "c)".

DEPARTMENT OF REVENUE
NOTICE OF ADOPTED AMENDMENTS

53. In line 1839, underlined "d)".
55. In line 1842, changed "of" to "after".
55. In lines 1849, 1891 and 1896, capitalized "county board".
56. In line 1853, underlined "e)", added and struck "b)".
57. In lines 1872 and 1906, changed "of" to "before".
58. In line 1912, added and struck "c)".
59. In line 1953, changed "of" to "prior to".
60. In line 1954, added and struck "d)".
61. In line 1966, added and struck "e)".
62. In line 1987, added and struck "f)".
63. In lines 1991-92 and 1993 capitalized "supervisor of assessments".
64. In lines 1997 and 2000, struck "the position of".
65. In lines 2036, 2107 and 2108, corrected ILCS site.
66. In lines 239-240, 334-335, 336, 342-343, 347, 359, 363, 382, 385-386, 388, 409, 413-414, 438, 448, 467, 586, 626, 628-629 and 2033, deleted the words "Interim Board of Review".
67. In line 372, struck the comma after "Appeals" and deleted "Interim Board of Review".
68. In line 404, struck the comma after "Appeals" and deleted "the Interim Board of Review".
69. In lines 749-750, 777, 783-784 and 825, deleted "Interim Board of Review".
70. In lines 758, 761-762, 767, 769-770, 773, 793, 795-796, 799, 801 and 806-807, deleted "or Interim Board of Review".
71. In line 1726, added before the stricken language "within the latest of the following time periods:"
 - 1) for applications based on prior year sales, within 120 days after the Department's certification of the results of the hearing on the tentative multiplier; or

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

2) for applications based on prior year sales, within 120 days after receipt of all supporting documentation, including any additional information required by the Department under the preceding provisions of this Section; or

3) for applications based on current year sales, within 120 days after the Department's completion of the assessment/sales ratio study for the current year; or

4) for applications based on current year sales, within 120 days after receipt of all supporting documentation, including any additional information required by the Department under this Section."

72. In line 2045, added after the period "To the extent taxes are no longer abated on this property, it is new property in the first year the abatement ceases."

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment(s): The Revenue Act of 1939 was recodified into the Property Tax Code effective January 1, 1994. Recodification made all of the statutory references in Part 110 of the Department's rules obsolete. Also, the prefix on property tax forms prescribed by the Department has been changed from PTAB to PTAX to distinguish the forms from those of the Illinois Property Tax Appeal Board.

Many of the rule changes proposed herein are revisions to update the rules for statutory references applicable after recodification and for the new form prefix. A few proposed changes add references to forms that have been in use for some time but are not mentioned in the current rules. Some other modifications are proposed because of statutory changes that have occurred in the time since a given rule was initially adopted or last amended. In a few instances changes are proposed to the current rules for the purpose of stating or clarifying current practice or resolving problems identified by the Department.

16) Information and questions regarding this adopted amendment shall be directed to:

Jerry Lanter

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Counsel - Property Tax
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, IL 62794
(217) 782-6336

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 110

PROPERTY TAX CODE

- Section
110.101 Railroads
110.105 Non-carrier Real Estate of Railroads
110.110 Procedures for Assessment of Pollution Control Facilities and Low Sulphur Dioxide Emission Coal Fueled Devices
110.115 Non-Homestead Exemption Proceedings
110.120 Oil Right Lessees and Producers
110.125 Reports to be Filed with the Department
110.130 Hearings and Records of Chief County Assessment Officers County Assessor-Supervisor-of-Assessments-or-Board-of-Assessors
110.135 Review of Assessments - Counties of 3,000,000 ~~1600,000~~ or More
110.140 Board of Review Procedures and Records - Counties of Less than 3,000,000 ~~1600,000~~
110.141 Farmland Factor Review Procedures (Repealed)
110.145 Practice and Procedure for Hearings on Property Tax Matters Before the Illinois Department of Revenue
110.150 Records Reproduction
110.155 Appointment or Election of Board of Review Members After Examination
110.160 Multi-township Assessment Districts
110.165 Farmland Assessment Review Procedures
110.170 Assessors' Bonus
110.175 Equalization by Chief County Assessment Officers in Counties with Fewer Than 3,000,000 Inhabitants Supervisor-of-Assessments
110.180 Supervisor of Assessments Examination
110.190 Property Tax Extension Limitation

AUTHORITY: Implementing the Property Tax Code [35 ILCS 200] and authorized by Sections 39b19 and 39b35 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b19 and 39b35].

SOURCE: Adopted June 1, 1940; amended at 5 Ill. Reg. 2999, effective March 11, 1981; amended at 5 Ill. Reg. 5888, effective May 26, 1981; amended at 6 Ill. Reg. 9707, effective July 27, 1982; amended at 6 Ill. Reg. 14564, effective November 5, 1982; codified at 7 Ill. Reg. 5886; amended at 8 Ill. Reg. 24285, effective December 5, 1984; amended at 9 Ill. Reg. 159, effective December 26, 1984; amended at 9 Ill. Reg. 12022, effective July 24, 1985; amended at 10 Ill. Reg. 11284, effective June 16, 1986; amended at 10 Ill. Reg. 15125, effective September 2, 1986; amended at 11 Ill. Reg. 19675, effective November 23, 1987; amended at 11 Ill. Reg. 20972, effective December 11, 1987; amended at 12 Ill. Reg. 14346, effective August 29, 1988; amended at 13 Ill. Reg. 6803, effective April 12, 1989; amended at 13 Ill. Reg. 7469, effective May 2, 1989; amended at 15 Ill. Reg. 3522, effective February 21, 1991; emergency rule added at 15 Ill.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Reg. 14297, effective October 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 2624, effective February 4, 1992; emergency amendment at 17 Ill. Reg. 22584, effective January 1, 1994, for a maximum of 150 days; emergency expired May 30, 1994; amended at 18 Ill. Reg. 15618, effective October 11, 1994; emergency amendment at 19 Ill. Reg. 2476, effective February 17, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 3555, effective March 1, 1995, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 7540, effective May 21, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13611, effective OCT 09 1996.

Section 110.101 Railroads

- a) All companies, corporations or associations owning, operating or constructing a railroad, a suburban or interurban railroad, a switching or terminal railroad, a railroad station or a railroad bridge in this State shall make a return of taxable property on Form Nos. PTAX-501 through PTAX-513 and PTAX-531 through PTAX-537 P-7-A-B-501-through-514-and-531-through-537. Operating companies shall return all railroad property which they use exclusively whether owned by subsidiaries, leased lines or others, and they shall also list jointly used and owned property in which they have preponderant interest. Joint facilities in which interests are equal shall be listed by only one of the using companies. Companies which do not engage in railroad operations, but merely hold title to railroad property, shall return all such property used jointly by others. Owning companies shall make sure that users list all property as required by this Regulation.
- b) Companies, corporations or associations with Class II through Class IV railroad operations shall return the results of railroad operations, detailed information for joint facilities and depreciation expenses, road and equipment property and railroad operating statistics on Form Nos. PTAX-520-A through PTAX-523. Information collected on the forms shall be similar to that collected on portions of returns made for Class I railroad operations on the federal R-1 annual report to the Interstate Commerce Commission or its successor agency. Class I through Class IV railroads shall be those classes as defined by the Interstate Commerce Commission or its successor agency.
- c) b Legal Description. All railroad companies shall file periodically with the Department and with county clerks the location and legal description of their right of way, track, improvements, trackage rights, operating property off the right of way and non-carrier real estate in Illinois on Schedules R-1 to R-7b R-7 inclusive. Except as otherwise may be ordered by the Department, this requirement shall be fulfilled by the annual substitution of revised and corrected sheets for those pages made obsolete by changes in the right of way.
- d) e Form Nos. PTAX-501 through PTAX-513, PTAX-520-A through PTAX-523 and PTAX-531 through PTAX-537 P-7-A-B-501-through-514-and-531-through-537 and Schedules R-1 to R-7b R-7 shall be filed annually with the Department at its Springfield office between the 1st day of April and

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

the 1st day of June. If a railroad company fails to timely file documents required under this Section the Department shall assess the property of the railroad company according to the Department's best information and judgment at 33 1/3 percent of the property's fair cash value and may add to that valuation an amount equal to 50 percent of its valuation in accordance with Section 11-115 of the Property Tax Code [35 ILCS 200/11-115].

(Source: Amended at 20 Ill. Reg. **13611**, effective _____)

Section 110.105 Non-carrier Real Estate of Railroads

When the railroad returns required under Section 110.101 of this Part have been filed, the Department shall transmit to the Chief County Assessment Officers ~~officials~~ copies of Form Nos. PTAX-536 and PTAX-537 P-7-A-B-536-and-537 which list the "non-carrier real estate" as defined in Section 11-70 of the Property Tax Code [35 ILCS 200/11-70] ~~79-of-the-Revenue-Act-of-1939--as-amended--1111-Rev.-Stat-1987--ch-1207--par-5607~~. If such assessment officials have reason to believe that the items of property set forth in these Schedules do not include all "non-carrier real estate" of the reporting carrier located within their jurisdiction, they shall, within 30 days from the date of transmittal by the Department, object to the classification adopted by the reporting railroad. Their objection shall be filed with the Department and it shall set forth the location and nature of the property alleged to be classified improperly and the basis for the allegation. The Department thereupon shall consider the facts presented and, if necessary, request additional information from the Chief County Assessment Officer ~~chief-county-assessment-official~~ or the railroad or both. Within 60 days after receiving the objection, the Department shall determine whether the property is "non-carrier real estate" or "operating property" and notify the local assessment officers and the reporting carrier of its decision. An application for hearing shall be made in the time and manner provided by Section 8-35 of the Property Tax Code [35 ILCS 200/8-35] ~~137-of-the-Revenue-Act-of-1939--1111-Rev.-Stat-1987--ch-1207--par-6187~~. Non-carrier real estate which includes improvements owned by lessees shall be listed in the railroad books as property of the railroad.

(Source: Amended at 20 Ill. Reg. **13611**, effective _____)

Section 110.110 Procedures for Assessment of Pollution Control Facilities and Low Sulphur Dioxide Emission Coal Fueled Devices

a) Assessment Procedure

- 1) The Department shall assess property which has been certified by the Illinois Pollution Control Board to be a pollution control facility or a low sulphur dioxide emission coal fueled device in accordance with Section 11-25 ~~21a-5~~ or Section 11-50 ~~21a-12~~ of

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

the Property Tax Code [35 ILCS 200/11-25 and 11-50] ~~Revenue--Act of--1939--as-amended--1111-Rev.-Stat-1987--ch-1207--par-502a-5 and-502a-127~~ and this Part.

- 2) Pollution control facilities are to be valued for property tax ~~Property-Tax~~ purposes in relation to the fair cash value of their economic productivity to their owners. For the purpose of determining the fair cash value of any pollution control facility the Department shall take into consideration the actual or probable net earnings attributable to the facility (capitalized on the basis of its productive earning value to its owner), the probable net value which could be realized by its owner, if the facility was removed and sold at a fair, voluntary sale (giving due account to the expense of removal and condition of the particular facility) and such other information as the Department may consider relevant.
- 3) For the purpose of determining the fair cash value of low sulphur dioxide emission coal fueled devices for property tax ~~Property Tax~~ purposes, the Department shall determine such value to be the net value which could be realized by its owner if the device were removed and sold at a fair, voluntary sale, giving due account to the expense of removal, site restoration, and transportation.
- 4) Upon receiving written notification from the Pollution Control Board of the issuance of a certificate that property in a county is a pollution control facility or a low sulphur dioxide emission coal fueled device, the Department shall submit to the County Board of Review or County Assessor, as the case may be, a copy of the certification with all available descriptive information of the property so certified. The Department shall also submit to such Board of Review or County Assessor a notice on Form No. ~~PTAX-400 P-7-A-B-400~~ that the local assessment, if any, which is assigned to the property which has been so certified should be removed from the tax roll. Such notice also shall recite the first assessment year for which the removal from the local ~~Property Tax Property-Tax~~ roll is to be given effect.
- 5) Upon receipt of the notice described in subsection ~~Subsection (a)(4) of this Section Regulation~~ the County Board of Review or Assessor shall remove from the local property tax ~~Property--Tax~~ rolls, commencing with the assessment year specified in the said notice, any valuation on such local property tax ~~Property--Tax~~ rolls which can be identified as being directly attributable to the specific facility which has been certified as a pollution control facility or a low sulphur dioxide emission coal fueled device. The county officials shall notify the Department on Form No. ~~PTAX-400 P-7-A-B-400~~ of the action taken.
- 6) Upon the completion of the original assessments to be made by the Department, it shall publish a full and complete list of such assessments in the State's "official newspaper". Any person or corporation feeling aggrieved by any such assessment may apply to

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

the Department for a review and correction, if necessary, of the assessment, in the manner provided in Section 110.145 of this Part.

b) Modification, cancellation or revocation

1) In the event that a certificate is modified the Department shall notify the proper local assessing officials of such modification and its effect on the assessed valuation.

2) In the event that a certificate has been cancelled or revoked, the Department shall notify the proper assessing officials who then shall have the authority to assess the property described in said cancelled or revoked certificate for the assessment years indicated.

c) Jurisdiction to determine character of Pollution Control Facilities

The determination of pollution control facilities or of low sulphur dioxide emission coal fueled devices as real or personal property is within the jurisdiction of the Department.

d) Definitions

"Applicant" means any person whose property has been found to qualify as pollution control facilities.

"Low sulphur dioxide emission coal fueled devices" means those facilities defined in Section 11-40 of the Property Tax Code [35 ILCS 200/11-40] ~~21a-40-of-the-Revenue-Act-of-1997-as-amended-(111-Rev-Stat-1981r-ch-120r-par-502a-107)~~.

"Pollution Control Board" means that board which is defined in Section 5 of the Environmental Protection Act [415 ILCS 5/5] ~~(111-Rev-Stat-1981r-ch-111-17r-par-10957)~~.

"Pollution Control Facilities" means those facilities defined in Section 11-10 of the Property Tax Code [35 ILCS 200/11-10] ~~21a-2-of-the-Revenue-Act-of-1997-as-amended-(111-Rev-Stat-1981r-ch-120r-par-502a-27)~~.

e) Forms

1) ~~Instructions--covering--forms--issued--pursuant--to--this--Part although--said--forms--are--not--specifically--mentioned--herein--are incorporated--herein--and--shall--have--the--same--force--and--effect--as these--Regulations.~~

1) ~~2) The Department shall forward annually Form No. PTAX-401 P-T-A-B-401, entitled Annual Return, to the applicant beginning with the first assessment year with respect for which the Department is required to assess the pollution control facility or low sulphur dioxide emission coal fueled device of the applicant.~~

2) ~~2) Form No. PTAX-401 P-T-A-B-401 shall be filed annually with the Department at its office in Springfield between the 1st day of April and the 1st day of June.~~

(Source: Amended at 20 Ill. Reg. **13611**, effective Oct. 1, 1995)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

a) Contents of exemption application

An application form for a non-homestead property tax exemption shall be obtained from the Board of Review or Board of Appeals in the county in which the property is located. The applicant shall use the appropriate application form (Form No. PTAX-300-R (religious), PTAX-300-FS (federal or State agency) or PTAX-300 (all other property)). shall answer all questions on the form completely and shall sign the form.

1) The applicant shall attach all required documentation to the application form, including, at a minimum, copies of the following:

A) For all exemption application forms:

- i) Proof of ownership;
- ii) Lease(s) or contract(s) concerning the property;
- iii) Legal description of the property;
- iv) Parcel index number; and
- v) If the exemption would reduce the property's assessed valuation by more than \$100,000, copies of the letters the applicant sent notifying affected municipalities, school districts and community college districts of the application.

B) For PTAX-300 (in addition to items in subsection (a)(1)(A) above):

- i) Picture(s) of the parcel(s) including any improvements thereon;
- ii) Affidavit of use;
- iii) Articles of incorporation and bylaws of the applicant; and
- iv) Income and expense statements of the applicant for the most recent year.

C) For PTAX-300-R (in addition to items in subsection (a)(1)(A) above):

- i) Picture(s) of the parcel(s) including any improvements thereon;
- ii) Affidavit of use;
- iii) Articles of affidavit of incorporation and bylaws of the applicant; and
- iv) If the property includes a parsonage or convent, a completed parsonage/convent questionnaire.

2) Applications involving multiple deeds and/or multiple parcels: 3) Applications involving multiple deeds and/or multiple parcels: A) An applicant shall file an application for exemption of multiple parcels acquired by separate deeds on separate application forms unless all four of the following conditions are met:

- i) The parcels are contiguous;
- ii) All deeds were acquired prior to the year for which the exemption is sought;

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- iii) the application identifies which parcel index number(s) are associated with each deed; and
- iv) the application identifies any variation of use or other qualifying information or characteristic (e.g., leases, photos, affidavits of use, parsonage/convent questionnaires or other information required for the type of exemption application submitted) by parcel index number and deed.

B) An applicant may file an application for exemption of multiple parcels acquired by the same deed on one application form, but the application shall identify any variation of use or other qualifying information or characteristic (e.g., leases, photos, affidavits of use, parsonage/convent questionnaires or other information required for the type of exemption application submitted) by parcel index number.

C) An applicant shall file an application for exemption of a single parcel acquired by multiple deeds on one application form.

4) Applications for exemption shall be filed only on property subject to taxation under the Property Tax Code [35 ILCS 200], for example:

A) If a mobile home is subject to a privilege tax under the Mobile Home Local Services Tax Act [35 ILCS 515], it is not eligible for exemption even though it is used as a parsonage or some other qualifying use. (However, an applicant may file an exemption application on the land upon which such a mobile home rests.)

B) A leasehold estate taxable under Section 9-195 of the Property Tax Code [35 ILCS 200/9-195] shall be eligible for exemption where the lessee and the use of the leasehold qualify for an exemption. An application for exemption of a leasehold estate shall be filed by the lessee.

5) For purposes of compliance with this Section, an affidavit of use shall be a signed, dated, notarized, written statement about the use or uses of the property for which an exemption application is made. The statement shall include at a minimum the parcel index number(s) for the property, the name of the affiant, the relationship of the affiant to the property (i.e., how the affiant acquired personal knowledge about the use of the property) and a detailed description of the actual use or uses of each parcel of property represented by a parcel index number during the year for which the exemption is sought.

b) Filing and accepting a non-homestead exemption application

An exemption application prepared in accordance with subsection (a) above shall be filed with the Board of Review or Board of Appeals in the county in which the property is located. The Board of Review or Board of Appeals shall accept an application only if the taxpayer has

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

used the correct application form, has filled out the application completely, has attached the required documentation and, unless the conditions in subsection (a)(3)(A) or (a)(3)(B) above are met, has included only one parcel on the application form. In counties with more than 3,000,000 inhabitants, the Board of Appeals or Board of Review may require the filing of a complaint form in addition to the exemption application.

c) Determination (recommendation) with respect to an exemption application

1) A Board of Review or Board of Appeals shall consider exemption applications only for the tax year for which that Board is in session. A Board shall not consider exemption applications for previous or subsequent tax years. For example, if a 1995 Board is still in session in January of 1996, an application for exemption for the 1996 tax year shall not be considered by that 1995 Board and a determination (recommendation) on that application shall not be made by that Board and forwarded to the Department. Only a Board in session for the 1996 tax year shall consider and determine exemption applications for the 1996 tax year.

2) The Board of Review or Board of Appeals shall make a determination (recommendation) on each application for exemption.

d) ~~a~~ Forwarding of statement to Department

Whenever a Board of Review or Board of Appeals in any county determines that any property is or is not liable to taxation, and when the question as to the liability of such property to taxation has not previously been judicially determined or there has been a change in ownership, leasehold estate or use of such property since the last such previous determination, it shall be the duty of the Clerk of the Board of Review or, in counties with 3,000,000 or more inhabitants, the Secretary the County Assessor under the direction of the Board of Appeals or Board of Review, as the case may be, to make out and forward to the Department a full and complete statement of all the facts in the case in the appropriate section of or in an attachment to Form No. PTAX-300, PTAX-300-R (religious) or PTAX-300-RS (federal or State agency) ~~P-7-A-B--3887--except--that--reports--of--homestead exemption--approvals--shall--be--made--on--Form--No--P-7-A-B--327.~~

e) ~~b~~ Documents to accompany statement forwarded to Department

Every such statement to the Department shall be accompanied by a copy of the ~~complaint or~~ exemption application filed with the Board of Review or Board of Appeals, copies of the documents or other items the applicant is required to file with the exemption application, copies of any written intervention in the procedure before the Board of Review or Board of Appeals, names and addresses of any such intervenors and the determination (recommendation) of the Board of Review or Board of Appeals. In counties with 3,000,000 or more inhabitants the statement shall also include a copy of the complaint for exemption if one was filed ~~and a copy of the document evidencing~~

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

ownership-of-the-property-in-question-by-the-applicant-for-exemption.

1) Additional supporting documents, such as, but not limited to, affidavits--and--copies--of--articles-of-incorporation, charters, 501(c)(2) or 501(c)(3) exemption by the Internal Revenue Service, plat of the property, tax map, floor plan labeled as to actual use of all areas of a building or financial reports, shall be supplied where necessary for determination of exemption or requested by the Department.

2) Every such statement to the Department shall contain the signature of the Clerk of the Board of Review or, in counties with 3,000,000 or more inhabitants, the signature of the Secretary signatures--of-the-members of the Board of Appeals or the Board of Review as-the-case-may--be and the date of the Board's action.

f) In counties with 3,000,000 or more inhabitants, statements made out and forwarded to the Department by the Secretary of the a County Assessor under the direction of a Board of Appeals or Board of Review shall be made in triplicate, the original being forwarded to the Department, one copy being forwarded to end-two-copies--retained by the County Assessor, and one copy being retained by of-which-shall be-used-for-the-fits-of the Board of Appeals or Board of Review.

g) In counties with less than 3,000,000 inhabitants, statements made out and forwarded to the Department by the Clerk of a Board of Review shall be made in duplicate, the original being forwarded to the Department and the copy retained by the Board of Review.

h) Department decision

1) If approved by the Department or a court of appropriate jurisdiction, a parcel receiving a non-homestead exemption shall not be removed from the property rolls, but shall instead be retained on the assessment listing. Approved parcels shall be coded exempt or in some other way identified as being a non-homestead exemption. All coding or identification shall be made in such fashion that the general public may readily discern the exempt status of the property. An-Exemption-Approval Certificate-(P-T-A-B-Forms-302-and-304)-will-be-issued--to--the petitioner-when-ever-the-Department-approves-real-estate

2) Upon making a determination with respect to an application for a property tax exemption pursuant to Section 16-70 199(f) or Section 16-130 of the Property Tax Code [35 ILCS 200/16-70 and 16-130], copies 119-of-the--Revenue-Act-of-1939--copies of the Department's decision approval-certificate will be mailed to the applicant, to any intervenors, to the Clerk of the Board of Review or Board of Appeals, as the case may be, to the County Assessor in counties that have a County Assessor, to the County Collector in counties with 3,000,000 or more inhabitants, and to the County Clerk in counties with fewer than 3,000,000 inhabitants.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

3) Intervenor shall be either an entity with an interest in the property or a taxing district within whose territory the property lies in whole or in part. Intervenor shall have intervened in writing in the consideration of the application at the Board of Review or Board of Appeals level prior to such Board's determination (recommendation) or at the Department level prior to the Department's decision.

4) The Department's decision shall allow the exemption (on Form No. PTAX-301-C), allow a partial exemption (also on Form No. PTAX-301-C) or deny the exemption (on Form No. PTAX-301 or Form No. PTAX-301-B). A partial exemption shall allow the exemption for a portion of the subject property for the entire year, allow the exemption for the entire subject property for a portion of the year, or allow the exemption for a portion of the subject property for a portion of the year.

1) Department hearings and administrative review

1) An applicant for exemption who feels aggrieved by a Department decision denying an exemption or allowing only a partial exemption shall not file another exemption application on the property for the same tax year but shall request a hearing pursuant to subsection (i)(2) below. If a Board of Review or Board of Appeals forwards an exemption application filed by the same applicant on the same property for which the Department has already rendered a decision for that tax year, the Department shall return the application to that Board.

2) Pursuant to Section 8-35 of the Property Tax Code [35 ILCS 200/8-35] and 86 Ill. Adm. Code 110.145, a written application for a hearing before the Department on the Department's decision with respect to an exemption shall be filed within 20 days after the Department's notice of decision is mailed.

3) Pursuant to Section 8-40 of the Property Tax Code [35 ILCS 200/8-40] and the Administrative Review Law [735 ILCS 5/Art. III], a final Department decision following a Department hearing shall be subject to administrative review.

1) When non-homestead exemption records are destroyed by the county pursuant to the "Local Records Act" [50 ILCS 205] (111-Rev-Stat-1983--ch-1157-par-43-101--et-seq), the original copies of the Department's decision Department-Exemption-Approval-Certificates (P-T-A-B-Forms-302-and-304) shall be retained for each parcel remaining exempt. In lieu of Exemption Approval Certificates destroyed prior to the effective date of these provisions, and in response to the Department's exemption field audits, the Clerk of the Board of Review may provide copies of the disposal records together with a signed affidavit attesting to the specific exemption approvals destroyed, by property and year of exemption. Such disposal record and affidavit shall serve in place of the Approval Certificate for purposes of the Department's authority granted pursuant to Section 15-25 of the Property Tax Code [35 ILCS 200/15-25] 111-Rev-Stat-

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

"Revenue Act of 1939".

k) Annual certificate of status of exemptions Pursuant to Section 15-10 of the Property Tax Code [35 ILCS 200/15-10], an owner of property or owner of a beneficial interest in property that has been determined by the Department or a court to be exempt shall file annually by January 31 with the Chief County Assessment Officer an affidavit stating whether there has been any change in the use, ownership or leasehold of the property or status of such owner or lessee. The affidavit shall state the nature of such change. Property owned by the United States that has been determined by the Department or a court to be exempt shall not require an affidavit pursuant to this subsection (k).

l) Obligation to file copies of leases or agreements Except as modified in Section 15-55 (State-owned property) of the Property Tax Code [35 ILCS 200/15-55], the owner of property that has been determined to be exempt or the owner of the beneficial interest in property that has been determined to be exempt shall file with the Chief County Assessment Officer a copy of any lease, loan or agreement that makes the property available for profit along with a complete description of the premises as required in Section 15-15 of the Property Tax Code [35 ILCS 200/15-15].

m) Notification after change in use, leasehold estate or ownership Pursuant to Section 9-185 of the Property Tax Code [35 ILCS 200/9-185], if any property listed as exempt has a change in use or a change in leasehold estate the titleholder of record shall notify the Chief County Assessment Officer of the change within 30 days. Also pursuant to Section 9-185, if there has been a purchase, grant, taking or transfer of any property listed as exempt, the transferee shall notify the Chief County Assessment Officer within 30 days. The notice from the titleholder or transferee shall be in writing, shall be sent by certified mail, return receipt requested, and shall include the information required in Section 15-20 of the Property Tax Code [35 ILCS 200/15-20].

(Source: Amended at 20 Ill. Reg. 13611, effective 01-01-1990)

Section 110.120 Oil Right Lessees and Producers

a) Every lessee corporation, individual or unincorporated business which leases oil or natural gas rights or which operates oil-producing or natural gas-producing properties in Illinois shall make return of the real property connected with such lease or the property it operates on Form No. PTAX-186 P-7-A-B-7-186.

b) Form No. PTAX-186 P-7-A-B-7-186 shall be filed annually with the Chief County Assessment Officer Supervisor of Assessments between the 1st day of April and the 1st day of June.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 20 Ill. Reg. 13611, effective 01-01-1990)

Section 110.125 Reports to be Filed with the Department

a) County Clerks shall transmit annually to the Department the following statements within 30 days after the date when the collector's books are completed:

1) Summary abstracts of valuations, levies, rates and extensions of taxes in their respective counties including amounts due to the State on account of the redemption of the State-owned property on Form No. PTAX-250 P-7-A-B-7-250.

2) Abstracts of valuation, levies, rates and extensions of taxes for tax districts in their respective counties on Form Nos. PTAX-251, PTAX-252, PTAX-253 and PTAX-254 P-7-A-B-7-251-252-253 and-254.

3) Abstracts of local assessments of non-carrier real-estate-owned by a railroad company on Form No. P-7-A-B-538.

4) Abstract of aggregate tax increment equalized assessed valuation (current EAV less the initial EAV of the area), rates, rate extensions, initial equalized assessed valuation, tax increment financing extension that is based on parcel by parcel distribution extension and names of taxing districts in Tax Increment Allocation Financing Redevelopment Project Area, on Form No. PTAX-251-TIF P-7-A-B-7-251-TIF. This form is also used to report taxing districts involved and amount of abatement granted for industrial abatements.

4) Abstracts of abatements, number and types of parcels and taxing districts for general abatements of taxes on Form No. PTAX-255-TA.

5) Abstracts of valuations removed from rate calculation, rates, amounts of taxes abated, number and types of parcels and taxing districts for enterprise zones on Form No. PTAX-255-EZA.

6) Summary of equalized assessed valuations of new property, rate adjustment factors, rates and dollar loss for taxing districts subject to the Property Tax Extension Limitation Law [35 ILCS 200/Art. 18, Div. 5] on Form No. PTAX-255-CAP.

7) Report of the names of new taxing districts in the county, the name of the home county for each new taxing district and the names of any overlapping counties for each new district on Form No. PTAX-256.

b) County clerks shall also transmit to the Department the following statements:

1) 5) Abstracts of property assessments in their respective counties within 30 days after receipt of assessment books from a Board of Review or Board of Appeals on Form No. PTAX-260-A P-7-A-B-7-260a.

2) 6) The creation of new and the dissolution of old taxing districts

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

and all changes in boundaries of existing districts shall be reported within 30 days after promptly upon approval of any such creation, dissolution or change becoming effective on Form No. PTAX-270 P-W-A-B-270.

3) Report of original equalized assessed valuations and equalized assessed valuation changes for school districts due to Property Tax Appeal Board decisions on Form No. PTAX-610 by April 30.

4) Report of any alterations to the taxing districts that make up each aggregate rate within the county as identified on the aggregate listing on the Department's PTA 205-10 report.

5) In counties with 3,000,000 or more inhabitants, an annual list of the additional equalized assessed valuation loss to schools due to the increase in the amount of the Senior Citizens Homestead Exemption and the General Homestead Exemption as required by ILCS 5/18-8 by April 1.

6) Within 30 days after receipt of a request by the Department, certification of the portion of prior year equalized assessed values of overlapping taxing districts in each township on Form No. PTAX-292.

c) Boards of Review in counties of fewer than 3,000,000 inhabitants shall transmit annually to the Department reports of equalization of the various assessment districts and reclassification of property in their respective counties within 10 days after adjournment on Form Nos. PTAX-204 and 204-R No-P-W-A-B-204.

d) County Treasurers shall annually, during the month of December, transmit annually to the Department abstracts of taxes collected, protested, delinquent and the net collections available for distribution in their respective counties on Form No. PTAX-255 P-W-A-B-255.

e) Chief County Assessment Officers Supervisors of Assessments, Boards of Assessors and County Assessors shall transmit annually to the Department:

1) Abstracts of local assessments of non-carrier real estate owned by a railroad company on Form No. PTAX-538.

2) Abstracts abstracts of property assessments and reclassification of property prior to action by a Board Boards of Review or Board of Appeals within 30 days after returning the county assessment books for the entire county to the Board of Review or Board of Appeals on Form Nos. PTAX-280-A and 280-R No-P-W-A-B-280a.

3) In counties of fewer than 3,000,000 inhabitants, Supervisors of Assessments shall transmit annually to the Department reports of equalization of assessments, within 10 days after he or she presents the verified assessment books to the Board of Review, on Form No. PTAX-204-S/A P-W-A-B-204S/A.

4) Reports Supervisors of Assessments or the County Assessors as the case may be shall transmit annually to the Department reports of non-farm parcels which have a final assessed value for the year exceeding \$999,999 on Form No. PTAX-282 P-W-A-B-282.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 20 Ill. Reg. 13611, effective OCT. 03, 1996)

Section 110.130 Hearings and Records of Chief County Assessment Officers County Assessors, Supervisors of Assessments or Board of Assessors

In all counties in this State:

a) Hearings

All hearings held by the Chief County Assessment Officer County Assessor, Supervisor of Assessments or Board of Assessors in support of or in opposition to a proposed revision or correction in assessed valuation shall be open to the public. All files maintained by the Chief County Assessment Officer Assessor, Supervisor of Assessments or Board of Assessors and relating to the assessed valuation of any property and all complaints, supporting documents, and other evidence submitted by the property owner in support of a proposed revision and correction of valuation shall be available for inspection by the public at the times and subject to the restrictions provided in Section 14-30 of the Property Tax Code [35 ILCS 200/14-30] 98-1-of-the Revenue Act of 1939 (11th Rev. Stat. 1901, ch. 120, par. 579-11).

b) Records

1) Except where certain duties may be granted to the Recorder under Section 5-1108 of the Counties Code [55 ILCS 5/5-1108], the Chief County Assessment Officer in counties with fewer than 3,000,000 inhabitants The County Assessor, Supervisor of Assessments or the Board of Assessors, as the case may be shall prepare and maintain tax maps, lists of property owners' names and addresses and property record cards for all of the real estate within their jurisdiction in the form prescribed by the Department in the Illinois Real Property Appraisal Manual, provided that a Chief County Assessment Officer Supervisor of Assessments or Board of Assessors shall not duplicate the work of any full-time Township Assessor or Multi-Township Assessor, but may maintain duplicate copies of such records. Property record cards may be established and maintained on electronic equipment or microfiche, but if so maintained they shall be reasonable facsimiles of forms prescribed or approved by the Department. Upon request and payment of a reasonable fee established by the custodian, a copy or printout of a property record card shall be provided to any person Supervisors of Assessments and Boards of Assessors shall maintain lists of property owners.

2) The local assessment officers shall cause buildings and other improvements on each lot or parcel of land to be measured and described to a reasonable extent and classified as to use and construction, and such measurements, computations (sometimes referred to as the "computation ladder"), description and classification shall be entered upon the property permanent record card of each such lot or parcel of land in the manner

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

prescribed by the Department in the Illinois Real Property Appraisal Manual.

- 3) The local assessment officers shall enter upon the property permanent record card of each town or city lot or parcel of land the elements (or basis) of valuation and computations which shall be recorded in the manner prescribed by the Department in the Illinois Real Property Appraisal Manual and which are taken into consideration by the local assessment officers in ascertaining and determining the fair cash value of each town or city lot or parcel of land and of each improvement thereon, including the elements (shown by percentages or otherwise) which were taken into consideration as enhancing or detracting elements (such as depth, corner, alley, railway or other elements).

- 4) Property tax maps, lists of property owners and property record cards previously prepared and maintained on the basis of standards and procedures substantially similar to those outlined in the Illinois Real Property Appraisal Manual may be retained and maintained.

- 5) Property record systems, including tax maps, lists of property owners and property record cards, including appraisals, prepared and established by individuals, firms or corporations under contract with counties in accordance with Section 5-1068 of the Counties Code [55 ILCS 5/5-1068] 25-166 of "An Act to revise the law in relation to counties" (Ill. Rev. Stat., 1981, ch. 34, par. 425) shall be prepared in accordance with Section 110.130(b) of this Part. Such systems and records shall provide information useful to assessment officials, but shall not be considered assessments nor limit the powers and duties of assessing officials.

(Source: Amended at 20 Ill. Reg. 13611, effective 6-1-83)

Section 110.135 Review of Assessments - Counties of 3,000,000 \$-000-000 or More

- a) In counties having 3,000,000 \$-population-of--17,000,000 or more inhabitants, upon ~~the~~ completion of the valuations and assessments of all parcels of land and improvements thereon, in each town or taxing district, and before the revision thereof, such valuations and assessments shall be tabulated and abstracted by sections, divisions, subdivisions and such other convenient units of area as may be practicable in each town or taxing district. Such abstract shall include the following information concerning each individual parcel of land and the improvements thereon:

- 1) Volume, page and line of assessment book;
- 2) property index number;
- 3) address of property;

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 4) dimensions of lot or land;
- 5) legal description appearing in assessment books;
- 6) valuation of land;
- 7) valuation of improvements;
- 8) total valuation of land and improvements;
- 9) assessment of land;
- 10) assessment of improvements.

- b) When such abstract for each town or taxing district is completed, such abstract shall remain in the office of the County Assessor, and any changes in valuations or assessments upon review or revision by the County Assessor shall be entered in such abstract before entry in the assessment books.

- c) All hearings in the review or revision of the assessment of real estate by the County Assessor, Board of Review or the Board of Appeals shall be held in open, public meetings of the respective officers.

- d) The correction or revision of individual assessments by the County Assessor may be made on his own initiative or upon complaint in writing by any taxpayer. The review thereof by the Board of Appeals shall be made only on the written complaint of owners or other taxpayers or their duly authorized agents, which complaints shall state the facts upon which they are based and shall be under oath. The Board of Review shall, upon written complaint or request by a taxpayer or affected taxing district and upon good cause shown, revise, correct, alter or modify any assessment of real property. The Board of Review may, upon written motion of one or more members of the Board and upon good cause shown, revise, correct, alter or modify any assessment of real property regardless of whether the taxpayer or owner has filed a complaint or request with the Board. Before increasing an assessment the Board of Review shall give notice and the opportunity to be heard to the affected person. Before reducing an assessment on its own motion, the Board of Review shall give notice to the Assessor or Chief County Assessment Officer who certified the assessment and give that Assessor or Chief County Assessment Officer the opportunity to be heard. The Board of Review shall give all taxing districts an opportunity to be heard on the matter.

- e) All complaints shall be filed on the proper form prescribed by the Department, which form shall be provided to the complainants by the County Assessor, Board of Review or Board of Appeals. Reasonable When ~~hearings on such complaints are held at times of which the complainants or owners have no notice of hearings on such complaints~~ 7 ~~reasonable notice~~ shall be given to the complainants or owners in writing at to the address so given, or otherwise as provided by law.

- f) Every decision by the County Assessor, Board of Review or Board of Appeals making a change in any assessment shall be publicly announced. The reason therefor shall be stated briefly, and minutes of the decision and reasons shall be entered or caused to be entered in a record of the proceedings, which record shall be permanently preserved and be open to public inspection, and a notation of each change,

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

together with the complaint number on which it is based, shall be made in the assessment books in ink of a color different from that already appearing therein. Written notice of the action by the Board of Review shall be mailed to a taxpayer whose assessment has been increased or decreased or to a taxpayer who has filed a complaint in writing with the Board of Review and whose assessment was not changed. A copy of the notice shall be given to an Assessor or Chief County Assessment Officer whose assessment was reversed or modified by the Board of Review.

The written notice shall set forth the assessed valuation prior to action by the Board of Review and after final action by the Board. The notice shall state that the assessed value as certified to the County Clerk will become the locally assessed value for that year and succeeding years unless revised. The notice shall specify the facts upon which the Board's decision is based. For actions by the Board of Review with regard to residential property with 6 units or less beginning with assessments made for the 1996 assessment year and with regard to all other property beginning with assessments made for the 1997 assessment year, the notice shall include the following language: "You may appeal this decision to the Property Tax Appeal Board by filing a petition for review with the Property Tax Appeal Board within 30 days after this notice is mailed to you or your agent, or is personally served upon you or your agent."

g) In case any valuation of real property is changed, the decision or the reason therefor shall show the elements of value as defined on the property permanent record card which Section 110.130 of this Part requires to be kept and which was at fault, and definite corrections shall be made on such card in such manner as to preserve the exact form of the information contained on such card. A notation shall also be made on each such card showing the complaint number on which any changes made thereon are based, and if any such changes are made on motion of the County Assessor, Board of Review or the Board of Appeals, such fact shall also be recorded on such card. All such changes in assessed valuations shall be so entered on the property permanent record card, or a photostatic copy thereof, as to show the changes, without erasure or obscuration of the existing words or figures on the card and, where necessary, such changes may be made on a separate card permanently attached to the property permanent record card.

h) The record cards provided for in Section 110.130 of this Part shall be filed by sections, blocks and parcels and shall be kept and maintained as permanent records by the County Assessor. Such record card shall be maintained in corrected form; and when corrections are made in any record card, the same shall be preserved in the office of the County Assessor as other originals are preserved.

i) In case any property is found not to be taxable according to the procedures set forth in Section 110.115 of this Part, the decision, or the reason therefor, shall be made to appear and the correction

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

entered upon the property permanent record card. No change shall be made in any assessment until the basis for the same first shall be entered on the property permanent record card.

j) A copy of the land index maps, required by Section 110.130 of this Part shall be made available in the office of the County Assessor for public inspection at all reasonable times after the real estate assessment list is certified to the County Clerk.

(Source: Amended at 20 Ill. Reg. 13611, effective OCT 10 1993)

Section 110.140 Board of Review Procedures and Records - Counties of Less than 3,000,000 \$70007000

a) In all counties of the State having a population of less than 3,000,000 \$70007000: Boards of Review shall accept complaints on real estate assessments, draw certificates of error, notify parties of hearings to be held, record their proceedings and docket all cases on forms prescribed by the Department.

1) All Boards of Review shall provide complainants with, and shall require that objections on real estate assessments be filed on Form No. PTAX-230 P-77-A-B--230.

2) All complaints shall be made in duplicate triplicate. One of the copies shall be retained by the complainant and the original and one copy shall be filed with the Board of Review. The Board shall retain the original and shall forward the remaining copy to the Assessor or Chief County Assessment Officer who certified the assessment Supervisor of Assessments or Board of Assessors as the case may be.

3) In all cases where a change of assessed valuation of \$100,000 or more is sought, the Board of Review shall also serve a copy of the petition on all taxing districts as shown on the last available tax bill at least 14 days prior to the hearing on the complaint.

b) When errors (other than errors of judgment as to the value of any real property) in assessment of any property are discovered or brought to the attention of any Board of Review at any time before judgment, it shall issue a certificate of error on Form No. PTAX-238 P-77-A-B--238 to the person or corporation erroneously assessed, which certificate shall set forth the nature of the error and the cause or causes which operated to produce such error or mistake. After the certificate has been endorsed by a majority of the Board of Review and the Chief County Assessment Officer, the certificate may be used as evidence in any court of competent jurisdiction. The issuance of a certificate of error shall not reduce a tax except as ordered by a court.

c) After a Board of Review has issued a certificate of error and it has been endorsed properly by the Chief County Assessment Officer, Board of Assessors or Supervisor of Assessments as the case may be, two copies

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

of the certificate of error shall be made, one copy given to the County Clerk and one copy given to the County Collector.

- d) The notice of hearing to all taxpayers who have filed complaints on real estate shall be prepared on Form No. PTAX-229-A P-W-A-B--229A and sent to proper parties within a reasonable time before the hearing date.

- 1) All hearing notices shall be made in triplicate. The original shall be sent to the complainant. One of the two copies retained by the Board of Review shall be forwarded to the Chief County Assessment Officer Supervisor--of--Assessments--or--Board--of Assessors--as-the-case-may-be.

- 2) If the owner is not the complainant, an additional copy of the notice shall be prepared and sent to such owner.

- e) When a Board of Review contemplates revising an assessment on its own motion, notice shall be sent to the owner of the property concerned or his agent on Form No. PTAX-229 P-W-A-B--229.

- 1) All such notices shall be made in triplicate. The original copy shall be sent to the taxpayer. Two copies shall be retained by the Board, one of which copies shall be forwarded to the Chief County Assessment Officer Supervisor--of--Assessments--or--Board--of Assessors--as-the-case-may-be.

- 2) Each Board of Review shall increase or reduce the entire assessment of farm dwellings and sites and nonfarm real property, or of any class included therein if, in its opinion, the assessment has not been made upon the proper basis, and may equalize the assessment of farm dwellings and sites and nonfarm real property, by increasing or reducing the amount thereof, in any township, or part thereof, or any portion of the county as may, in its opinion, be just. Each Board of Review shall increase or reduce the entire assessment of farmland, or farm buildings, or both, in each township if in its opinion, the assessment has not been made on the proper basis. The assessment of any class of property or of any township or part thereof, or any portion of the county, shall not be increased until the Board shall have published a notice in a newspaper of general circulation published in the county, of such proposed increase and shall have given the owners of the property affected, or anyone representing them, or other citizens of said territory, an opportunity to be heard within 20 days after the date of such publication. The Chief County Assessment Officer Board--of Assessors--or-Supervisor--of--Assessments and the Township Assessor or Multi-township Assessor shall have like opportunity to be heard thereon.

- f) Boards of Review shall keep a record of their proceedings in a minute book patterned after Form No. PTAX-243 P-W-A-B--243. The date and time of meeting, members present, nature of the business transacted, date adjourned to and the signature of the clerk should be entered for each session in this book.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- g) Each Board of Review shall supplement the record of proceedings by keeping a separate docket of cases on Form No. PTAX-244 P-W-A-B--244. The docket shall indicate the type or types and class or classes of property, the assessment by the assessor, the final assessment fixed by the Board of Review and the increase or decrease in assessment from the assessor's assessment.

(Source: Amended at 20 Ill. Reg. **13611**, effective OCT 18 1996)

Section 110.145 Practice and Procedure for Hearings on Property Tax Matters Before the Illinois Department of Revenue

- a) All complaints, petitions or answers in any proceeding before the Department and every motion or application in relation thereto and all letters and telegrams shall be addressed to the Department at its office in Springfield.

- b) All applications for review of assessments made by the Department shall be in writing, and may contain a brief of the points and authorities relied upon, and shall be signed by the petitioner or applicant in person or by counsel. All subsequent communications, briefs and written arguments shall be likewise signed. Application for review and correction of any assessment shall be filed with the Department within 10 days from the date of publication of the assessment in the State "official newspaper". When application for review is made, the assessment decision complained of shall be further considered by the Department and notice shall be given of its decision by certified mail.

- c) An application for a hearing shall be filed by any party who feels aggrieved by a decision of the Department where review of an assessment has been made upon application or where an exemption decision has been made, and notice has been given of the Department's decision. Such application for hearing shall be in writing and shall be filed with the Department within 20 days after said decision has been rendered and notice thereof mailed. Petitions for hearing shall state concisely the mistakes alleged to have been made or the new evidence to be presented.

- d) The Department shall provide a reporter to make a transcript of the proceedings of the hearing, which transcript shall belong to the Department and become a part of its official record. A Any-objector may obtain a transcript of the record made at such hearing may be obtained 7 upon payment of the charge set forth in Section 110.150 of this Part.

- e) All hearings before the Department will be held at the time and place designated by the Department. All such hearings shall be public.

- f) Only one copy of exhibits filed before the Department is required for exemption matters, but in other matters the Department shall require three copies unless otherwise specified by the Department--but in no

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- g) ~~event-shall-more-than-3-copies-be-required.~~
Hearings by the Department on tentative equalization factors under Section 17-20 of the Property Tax Code [35 ICS 200/17-20] and on apportionment of taxes for taxing districts that lie in two or more counties under Section 18-155a [35 ICS 200/18-155a] shall be conducted pursuant to Sections 17-20 and 18-155a, respectively, and are excluded from Section 110.145 and 86 Ill. Adm. Code 200.145 and 200.146. ~~notification-of-the-result-of-review-or-hearing-are-to-be-directed-to an-address-different-than-that-of-the-owner-of-the-property authorization-shall-be-made-to-the-Department-on-Form-No.-P-F-A-B-1337.~~
- h) The following Sections of the Department rules relating to practice and procedure for hearings shall apply to proceedings conducted under this Part: 200.101, 200.105, 200.107, 200.110, 200.115, 200.120(a) and (c) only, 200.125, 200.130, 200.140(b), (c), (d) and (e) only, 200.145, 200.150, 200.155, 200.160(b), (c), (d), (e), (f), (g) and (h) only, 200.162, 200.165, and 200.170, 200.185, 200.190, 200.195, 200.200, 200.210, 200.215, 200.220 and 200.225.

(Source: Amended at 20 Ill. Reg. **13611**, effective ~~_____~~)

Section 110.150 Records Reproduction

Any person who requests the reproduction of any public record from the Department shall secure the copy or copies requested at the following estimated cost of reproduction:

- a) Each public record will be reproduced only with the Department's equipment for a fee of \$1.00 for the first page and \$0.50 ~~35-cents~~ per additional page when the pages do ~~page-does~~ not exceed legal size. The same price will be charged for copies that are mailed, faxed or picked up.
- c) Printed or frequently duplicated documents may be available from the Department for a unit fee that may be less than the rate per page in subsection (a) above.
- d) Each public record will be reproduced ~~only~~ with the Department's equipment for the estimated cost to the Department ~~a-fee-of-\$1-00--per page~~ when the page exceeds legal size.
- e) Each public record which requires reproduction on equipment other than the Department's will be reproduced for the actual cost to the Department.

(Source: Amended at 20 Ill. Reg. **13611**, effective ~~_____~~)

Section 110.155 Appointment or Election of Board of Review Members After Examination

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

a) Examinations

- 1) Examinations in counties that appoint Board of Review members: Examinations administered by the Department to determine whether persons are eligible to serve on the Board of Review are required in counties under township organization that appoint members to the Board of Review and either have 100,000 or more and fewer than 3,000,000 inhabitants or have imposed an examination requirement by resolution. If the presiding officer of the County Board does not intend to either reappoint a member of the Board of Review or appoint a person from the Department's list of those currently eligible for appointment in that county, the presiding officer shall request that the Department give a qualifying examination. The request for the examination shall be made at least 21 days before the date for appointment.

- 2) Examinations in counties that elect Board of Review members: Examinations administered by the Department to determine whether a person is eligible to be elected to the Board of Review are required in counties that have imposed an examination requirement by resolution. If an individual not currently on the Department's eligibility list files nomination papers to run for election to the Board of Review, the County Clerk shall request that the Department give a qualifying examination. The examination shall be requested within 5 days after the deadline for filing nomination papers for election, and the Department shall give the examination within 21 days after such request. The request for the examination may be made by the presiding officer of the County Board, and if the presiding officer has made such a request, the County Clerk need not do so. The presiding officer of the County Board or the County Clerk who requests the examination be given shall publish a notice in a local newspaper of general circulation in the county at least seven days before the examination is given. The notice shall include the date, time, place and purpose of the examination, shall indicate that study materials are available and that the examination and facilities are accessible to handicapped individuals and shall indicate that interested parties shall fill out and deliver an application to the official who published the notice by 10 A.M. of the business day before the examination is scheduled.

- 4) If no individual has registered to take the examination by 10 A.M. of the business day before the examination is scheduled, the presiding officer of the County Board or the County Clerk, as the case may be, shall immediately telephone and inform the Department, and the examination may be cancelled. If an examination is held, the Department shall accept applications up to the time of the examination.

- b) Names of persons who pass the examination administered in any county by the Department shall be placed on an eligibility list for that

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

county upon notification to the county by the Department. Such persons shall remain on the list in that county and be eligible for election as a member or appointment, either as a regular member or as an additional member appointed to hear complaints in an emergency situation, for a period of three years from the date the examination was taken. A person on the eligibility list as of the date an appointment is made or the date a primary ballot is certified shall be considered as having met the examination requirement even though the three-year period may expire between the date of the appointment or date the primary ballot is certified and the date the person assumes office until July 1 of the second year following the year in which his name was placed on the eligibility list, at which time his name shall be removed from such list.

c) b) A person who has passed an examination administered by the Department and has been appointed or elected as a regular Board of Review member in any county is eligible for reappointment or re-election in that county for the immediately succeeding term and each consecutive term thereafter, without further examination. A person so appointed as a regular member is also eligible for appointment as an additional member, without examination, to hear complaints during the session of the Board of Review next succeeding expiration of his regular term and during the session of the Board of Review in each consecutive year thereafter.

d) e) A person who has passed an examination administered by the Department and has been appointed as an additional member in that county to hear complaints in an emergency situation shall be appointed to serve only until adjournment of the Board of Review then in session. However, he or she may be reappointed as an additional member in that county the next succeeding year and be appointed as a regular member in that county for a term beginning during or immediately following the year for which he or she served as an additional member, without further examination.

(Source: Amended at 20 Ill. Reg. 13611, effective Oct. 1, 1995)

Section 110.160 Multi-township Assessment Districts

The following list of multi-township assessment districts has been promulgated by this Department in accordance with Sections 2-10 and 2-15 of the Property Tax Code [35 ILCS 200/2-10 205/2-10 and 2-15], effective January 1, 1994, (Sections 1.1 and 1.2 of the Revenue Act of 1939, repealed January 1, 1994):

County	Townships in District
Adams	1. Liberty, Columbus 2. Burton, Gilmer, Honey Creek

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Bond	3. Lima, Keene 4. Houston, Northeast 5. Clayton, Concord 6. Fall Creek, Payson
Boone	1. Mills, Tamalco 1. Manchester, LeRoy, Caledonia 2. Bonus, Spring
Brown	1. Lee, Pea Ridge, Missouri, Ripley, Cooperstown 2. Buckhorn, Elkhorn, Versailles
Bureau	1. Bureau, Walnut 2. Berlin, Westfield 3. Leepertown, Selby 4. Fairfield, Gold, Mineral 5. Neponset, Macon 6. Greenville, Manlius 7. Indiantown, Arispie, Milo, Wheatland 8. Ohio, Dover 9. LaMoille, Clarion
Carroll	1. Washington, Woodland, Freedom 2. Salem, Fairhaven 3. Elkhorn Grove, Wysox
Cass	1. Sangamon Valley, Virginia 2. Ashland, Philadelphia 3. Panther Creek, Newmansville, Chandlerville 4. Bluff Springs, Arenzville, Hagener
Champaign	1. East Bend, Newcomb, Condit, Hensley 2. Ludlow, Rantoul 3. Harwood, Kerr, Compromise 4. Stanton, Ogden 5. Colfax, Sadorus 6. Pesotum, Crittenden 7. Raymond, Ayers, South Homer
Christian	1. Mt. Auburn, Mosquito 2. Stonington, Prairieton 3. King, Bear Creek, Johnson

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Clark	4. Greenwood, Rosamond, Locust
	1. Westfield, Parker
	2. Dolson, Auburn, Douglas, Anderson, Darwin
	3. Johnson, Orange, Melrose, York
Clay	1. Larkinsburg, Oskaloosa, Blair
	2. Bible Grove, Hoosier, Pixley
	3. Stanford, Clay City
	4. Songer, Xenia
Clinton	1. St. Rose, Wheatfield
	2. Irishtown, Carlyle
	3. Santa Fe, Lake
	4. Clement, Meridian, East Fork
Coles	1. Seven Hickory, Charleston
	2. Morgan, East Oakland
	3. Ashmore, Hutton
	4. North Okaw, Humboldt
Crawford	1. Licking, Prairie
	2. Lamotte, Montgomery
	3. Martin, Honey Creek, Southwest
Cumberland	1. Cottonwood, Union, Crooked Creek
	2. Spring Point, Woodbury
Dekalb	1. South Grove, Mayfield
	2. Malta, Milan
	3. Afton, Pierce
	4. Shabbona, Paw Paw
	5. Victor, Somonauk
DeWitt	1. Waynesville, Barnett
	2. Wilson, Rutledge, Harp, DeWitt
	3. Tunbridge, Texas
	4. Nixon, Creek
Douglas	1. Murdock, Newman
	2. Bowdre, Sargent
Edgar	1. Brouillets Brouillette Creek, Edgar, Prairie
	2. Buck, Embarrass, Grandview
	3. Elbridge, Hunter, Stratton

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Effingham	4. Shiloh, Young America
	1. Banner, Liberty, Moccasin
	2. Jackson, Mason
	3. Mound, West
	4. Watson, Union
	5. Bishop, Lucas
Fayette	1. North Hurricane, South Hurricane, Shafter, Bear Grove
	2. Seminary, Pope, Kaskaskia
	3. Wilberton, Lone Grove, LaCade
	4. Sefton Shafter, Otego, Wheatland
	5. Loudon, Carson, Bowling Green
Ford	1. Drummer, Dix
	2. Patton, Button
	3. Sullivant, Peach Orchard, Lyman, Wall
	4. Brenton, Pella, Mona, Rogers
Franklin	1. Goode, Barren
	2. Ewing, Northern
	3. Eastern, Cave
Fulton	1. Ellisville, Young Hickory, Deerfield, Lee
	2. Fairview, Joshua
	3. Harris, Cass, Bernadotte, Farmers
	4. Pleasant, Isabel, Woodland, Kerton, Waterford
	5. Banner, Liverpool
Gallatin	1. New Haven, Shawnee
	2. Omaha, Asbury, North Fork
	3. Equality, Bowlesville, Eagle Creek
Greene	1. Patterson, Roodhouse
	2. Athensville, Rubicon, Wrights
	3. Walkerville, Bluffdale, Woodville
	4. Linder, Rockbridge
Grundy	1. Norman, Wauponsee
	2. Highland, Vienna, Mazon
	3. Goodfarm, Garfield, Greenfield
	4. Maine, Braceville

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Hamilton	<ol style="list-style-type: none"> 1. Nettle Creek, Erienna 2. Dahlgren, Knights Prairie 3. Flannigan, South Flannigan, Twigg, South Twigg, Mayberry 4. Crouch, South Crouch, Beaver Creek, Crook
Hancock	<ol style="list-style-type: none"> 1. Nauvoo, Appanoose, Sonora 2. Pontoosuc, Dallas City, Rock Creek 3. Prairie, Carthage 4. Warsaw, Wilcox, Rocky Run 5. Durham, Pilot Grove, Fountain Green, Hancock 6. Wythe, Walker, St. Albans 7. Chili, Augusta 8. Bear Creek, Harmony, St. Mary
Henderson	<ol style="list-style-type: none"> 1. Biggsville, Rozetta, Bald Bluff 2. Media, Raritan, Terre Haute 3. Stronghurst, Carman
Henry	<ol style="list-style-type: none"> 1. Edford, Osco 2. Lynn, Andover 3. Munson, Cornwall, Burns 4. Loraine, Yorktown, Alba 5. Weller, Galva
Iroquois	<ol style="list-style-type: none"> 1. Ridgeland, Onarga, Artesia 2. Pigeon Grove, Fountain Creek 3. Milford, Stockland, Lovejoy, Prairie Green 4. Crescent, Ash Grove 5. Milks Grove, Ashkum 6. Beaver, Concord 7. Papineau, Beaverville 8. Danforth, Iroquois
Jackson	<ol style="list-style-type: none"> 1. Ora, Vergennes 2. Degognia, Kinkaid, Fountain Bluff, Levan 3. Sand Ridge, Grand Tower, Pomona
Jasper	<ol style="list-style-type: none"> 1. Crooked Creek, Grandville, Hunt City 2. Smallwood, Fox, Sainte Marie, Willow Hill 3. Grove, North Muddy, South Muddy

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Jefferson	<ol style="list-style-type: none"> 1. Grand Prairie, Casner 2. Blissville, Bald Hill, Elk Prairie 3. Field, Farrington 4. Pendleton, Moores Prairie
Jersey	<ol style="list-style-type: none"> 1. Ruyle, Jersey, Fidelity 2. Richwood, English 3. Rosedale, Otter Creek
Jo Daviess	<ol style="list-style-type: none"> 1. Apple River, Thompson 2. Berreman, Derinda, Pleasant Valley, Wards Grove 3. Council Hill, Guilford, Scales Mound 4. Elizabeth, Woodbine 5. Hanover, Rice 6. Menominee, Rawlins, Vinegar Hill 7. Nora, Rush, Warren
Kankakee	<ol style="list-style-type: none"> 1. Rockville, Manteno 2. Sumner, Yellowhead 3. Essex, Salina
Kendall	<ol style="list-style-type: none"> 1. Lisbon, Seward, Na-au-say
Knox	<ol style="list-style-type: none"> 1. Rio, Henderson 2. Walnut Grove, Lynn, Copley, Victoria 3. Persifer, Truro 4. Knox, Galesburg, Cedar, Indian Point 5. Orange, Haw Creek 6. Chestnut, Maquon, Salem, Elba
LaSalle	<ol style="list-style-type: none"> 1. Meriden, Ophir, Troy Grove 2. Freedom, Serena 3. Mission, Miller 4. Dimmick, Waltham, Wallace 5. Utica, Deer Park 6. Fall River, Grand Rapids 7. Vermilion, Farm Ridge 8. Hope, Richland 9. Brookfield, Allen 10. Osage, Groveland
Lawrence	<ol style="list-style-type: none"> 1. Allison, Denison 2. Christy, Lukin 3. Petty, Bond, Russell

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Lee	<ol style="list-style-type: none"> 1. Nachusa, China 2. Nelson, Harmon 3. South Dixon, Marion, East Grove, Hamilton 4. Reynolds, Alto, Viola, Willow Creek 5. Brooklyn, Wyoming 6. Ashton, Bradford 7. Amboy, Lee Center 8. May, Sublette
Livingston	<ol style="list-style-type: none"> 1. Chatsworth, Germanville 2. Reading, Newtown 3. Sunbury, Nevada, Esmen 4. Round Grove, Union, Broughton 5. Long Point, Amity 6. Rooks Creek, Waldo, Pike 7. Owego, Eppards Point, Avoca 8. Saunemin, Sullivan, Pleasant Ridge, Charlotte 9. Indian Grove, Belle Prairie 10. Forrest, Fayette
Logan	<ol style="list-style-type: none"> 1. Prairie Creek, Sheridan 2. Orvil, Eminence 3. Atlanta, Oran 4. Chester, Mount Pulaski 5. Corwin, Broadwell 6. Hurlbut, Elkhart 7. Aetna, Laenna, Lake Fork
McDonough	<ol style="list-style-type: none"> 1. Blandinsville, Hire 2. Sciota, Walnut Grove 3. Bushnell, Prairie City 4. Chalmers, New Salem, Scotland 5. Tennessee Wenese, Lamoine, Bethel 6. Industry, Eldorado 7. Macomb, Mound
McLean	<ol style="list-style-type: none"> 1. Allin, Daie 2. Old Town, Downs 3. West, Bellflower, Cheneys Grove 4. Yates, Lawndale, Cropsey, Anchor 5. Money Creek, Lexington 6. Blue Mound, Martin 7. Dawson, Arrowsmith

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Macon	<ol style="list-style-type: none"> 8. White Oak, Dry Grove 9. Mount Hope, Funk's Grove 1. Austin, Illini 2. Oakley, Whitmore 3. Niantic, Harriestown 4. Blue Mound, Pleasant View 5. Mount Zion, Milam
Macoupin	<ol style="list-style-type: none"> 1. Scottville, Barr, Western Mound, Chesterfield 2. North Palmyra, North Otter 3. South Palmyra, South Otter 4. Nilwood, Shaws Point, Honey Point 5. Bird, Polk, Hillyard, Brushy Mound
Madison	<ol style="list-style-type: none"> 1. New Douglas, Leef
Marion	<ol style="list-style-type: none"> 1. Patoka, Carrigan 2. Foster, Tonti 3. Kinmundy, Meacham 4. Alma, Omega 5. Stevenson, Haines 6. Iuka, Romine
Marshall	<ol style="list-style-type: none"> 1. Saratoga, Whitefield, La Prairie 2. Hopewell, Roberts, Bell Plain, Richland
Mason	<ol style="list-style-type: none"> 1. Forest City, Quiver 2. Allens Grove, Pennsylvania, Salt Creek 3. Crane Creek, Kilbourne, Sherman 4. Bath, Lynchburg
Mercer	<ol style="list-style-type: none"> 1. Eliza, Duncan, Perryton 2. Keithsburg, Abington, Ohio Grove 3. Suez, North Henderson 4. New Boston, Millersburg
Montgomery	<ol style="list-style-type: none"> 1. Harvel, Pitman, Zanesville 2. Butler Grove, Irving, Rountree 3. Audubon, Nokomis 4. Witt, Fillmore, South Fillmore 5. Grisham, Walshville

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Moultrie	1. Dora, Marrowbone 2. Lowe, Jonathan Creek 3. East Nelson, Whitley
Ogle	1. Eagle Point, Buffalo, Woosung 2. Brookville, Forreston 3. Nashua-Eregon 3.4-Scott, White Rock 4.5-Maryland, Lincoln 5.6-Pine Creek, Grand Detour 6.7-Taylor, Lafayette, Pine Rock 7.8-Lynnville, Dement
Peoria	1. Millbrook, Brimfield 2. Princeville, Akron 3. Logan, Trivoli
Piatt	1. Goose Creek, Willow Branch
Pike	1. Fairmount, Perry, Chambersburg 2. Hadley, New Salem, Pleasant Vale, Derry 3. Flint, Detroit, Montezuma 4. Newburg, Hardin 5. Atlas, Martinsburg 6. Pleasant Hill, Ross 7. Spring Creek, Pearl 8. Kinderhook, Levee, Cincinnati
Putnam	1. Hennepin, Senachwine
Richland	1. Noble, Decker, Denver 2. German, Claremont 3. Madison, Bonpas
Rock Island	1. Buffalo Prairie, Drury 2. Canoe Creek, Zuma 3. Cordova, Port Byron
Saline	1. Galatia, Long Branch, Tate 2. Brushy, Raleigh 3. Rector, East Eldorado, Cottage 4. Stonefort, Independence, Mountain
Sangamon	1. Buffalo Hart, Mechanicsburg 2. Lanesville, Illiopolis

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County	Townships in District
Schuyler	3. Maxwell, Loami, Talkington 4. Cooper, Cotton Hill 5. Island Grove, New Berlin
Shelby	1. Birmingham, Brooklyn, Littleton, Oakland, Huntsville, Camden 2. Browning, Hickory, Woodstock, Bainbridge, Frederick 3. Moweaqua, Penn 4. Flat Branch, Ridge, Rural, Pickaway 5. Todds Point, Okaw 6. Richland, Ash Grove 7. Oconee, Cold Spring 8. Herrick, Dry Point 9. Lakewood, Holland, Clarksburg 10. Big Spring, Sigel
Stark	1. Elmira, Osceola 2. Goshen, West Jersey 3. Essex, Valley, Penn
Stephenson	1. Winslow, Waddams 2. Erin, Kent 3. Jefferson, Loran 4. Dakota, Rock Grove
Tazewell	1. Sand Prairie, Malone 2. Dillon, Delavan 3. Hopedale, Boynton 4. Hittle, Little Mackinaw
Vermilion	1. Pilot, Middlefork 2. McKendree, Love 3. Jamaica, Vance 4. Carroll, Elwood
Warren	1. Sumner, Hale 2. Kelly, Coldbrook 3. Lenox, Floyd, Berwick 4. Greenbush, Swan, Point Pleasant 5. Tompkins, Ellison
Washington	1. Venedy, Johannisburg, Lively Grove 2. Covington, Hoyleton

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County Townships in District

3. Beaucoup, Ashley, Richview
4. Plum Hill, Oakdale, Pilot Knob
5. Bolo, DuBois

Wayne

1. Garden Hill, Orchard, Hickory Hill, Four Mile
2. Keith, Zif, Mt. Erie, Elm River
3. Indian Prairie, Berry, Arrington
4. Massilon, Barnhill, Leech

White

1. Mill Shoals, Burnt Prairie
2. Herald's Prairie, Emma, Hawthorne

Whiteside

1. Ustick, Clyde
2. Genesee, Jordan
3. Albany, Garden Plain
4. Newton, Fenton
5. Erie, Portland
6. Hume, Montmorency
7. Tampico, Hahnman

Will

1. Florence, Wilton

Winnebago

1. Laona, Durand
2. Harrison, Burritt

Woodford

1. Partridge, Cazenovia
2. Linn, Clayton, Greene, Panola
3. Cruger, Olio
4. Palestine, Kansas

(Source: Amended at 20 Ill. Reg. **13611**, effective _____)

Section 110.165 Farmland Assessment Review Procedures

- a) The following details the receipt and processing requirements for farmland reviews made in accordance with Section 10-120 of the Property Tax Code [35 ILCS 200/10-120] ~~Public Act 82-121~~ **Amendment to Revenue Act of 1999**. The County Farmland Assessment Review Committee may ~~beginning in 1992~~ object to and offer alternate recommendations to farmland procedures and valuations initially certified by the Department of Revenue for the next succeeding assessment year. Such objections must be made by August 1 of the year preceding the assessment year in question. In all cases, the Department is required to rule within 30 days and direct the Chief

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

County Assessment Official to implement the ruling. Because of the severely compressed time frame involved and in the interests of ensuring that all county reviews are accorded the same impartial and thorough consideration, certain basic receipt and processing requirements are imperative. The written procedure set forth below is therefore designed to arrive at those receipt requirements and processing steps necessary to guarantee compliance with both the letter and intent of the law.

- b) ~~Two in order to estimate possible misunderstandings regarding the interpretation of the objections or alternatives submitted by the County Farmland Assessment Review Committee two written copies of such objections and alternatives must be submitted to the Department. To meet the required 30 day review deadline, the original farmland brief submitted must be complete as to the objections listed and must be timely filed.~~

- 1) A short introductory paragraph should enumerate the bases for the objection. If, for example, there are three primary reasons why the county objects to the valuations offered by the Department of Revenue, they should be numbered consecutively and briefly explained in this first paragraph.

- 2) The main body of the written presentation should follow and explain each of the objections or problems enumerated in the first paragraph. Appendix references should be made as appropriate. Proposed alternate assessment values and procedures should then be presented and explained.

- 3) All charts, graphs, tables, calculations, and other exhibits should be contained in the appendix. Each item in the appendix should be individually designated (such as: Attachment I, II, III) in order that the Analyst reviewing the data can refer from the written text discussed above to the appropriate item in the appendix.

- 4) Objections made to the Department must be approved by a majority of the County Farmland Assessment Review Committee. The brief submitted (or a cover letter) must contain the signatures of that majority. In addition, the signatures submitted must be attested to by the Chairman of the Committee as being those of the County Farmland Assessment Review Committee membership. In lieu of these signatures, the Department will accept a Certified Copy of the minutes of the meeting at which the vote was taken to submit an appeal to the Department. The Certified Copy must contain the signature of the Chairman of the Committee.

- c) No clear cut criteria exists for determining in advance the type and amount of evidence necessary to positively demonstrate the correctness of the objection. However, certain types of data afford a better opportunity for review and demonstration of a successful objection to the Department's assessment values and expected averages.

- 1) Objections to the Department's certified values are more likely to carry the necessary burden of proof if they are founded upon

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

recognized and easily verified sources such as detailed soil survey maps, property record cards (or abstracts of assessment and acreage data contained therein) or alternate productivity, yield or income data taken from acknowledged educational or research authorities in the agricultural profession.

- 2) The crop and farmland expected averages certified by the Department are based upon soil types identified within the counties, as well as farmland use. These averages serve as guidelines or starting points for helping the Department evaluate farmland assessment compliance. The Department recognizes that in some instances basic compliance with the Department's assessed values and procedures may result in substantial deviation from the expected averages as certified. However, County Farmland Committee objections to expected averages certified must carry the burden of proof in order to be successful.

- 3) Challenges to the weighted productivity indices (P.I.s) and equalized assessed valuations (EAVs) ~~EAV's~~ used by the Department should be based upon detailed soil survey maps. A county that believes the percentages of soil assumed by the Department of Revenue to exist for each productivity index range to be incorrect, should be able to demonstrate via soil survey the actual percentages by the same P.I. ranges. Because a detailed survey estimates the kinds of soils and their respective percentages of the total types within the county, it becomes a relatively simple matter to match these soils with their appropriate productivity index. By totalling the percent of soils having P.I.s ~~P.I.'s~~ within the same productivity ranges used by the Department, it might be possible to demonstrate, for example, that the Department of Revenue based its crop land average on soil percentages that were incorrect.

- 4) An objection might also be made upon the premise that the land use acreages utilized by the Department are incorrect or out of proportion with one another. For instance, it might be argued that the County has fewer total farmland acres than assumed by the Department, or that too many acres are attributed to crop land rather than pasture or other farmland. This could have the impact of creating artificially high expected averages. The recommended approach for this particular challenge would involve acreage and assessment data abstracted or summarized from a complete set of Property Record Cards for farm property in the county. A certified abstract of the information from the Property Record Cards would be needed showing for each township the number of acres in each land classification and their assessed value. This information would have to be auditable; the Department would verify that the abstract totals agreed with the assessment book totals. Examples of selected parcels might also be appropriate to demonstrate why the land use percentages (tillable vs. nontillable for example) are not what would be

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

expected. The county would have to demonstrate in their alternate recommendations exactly how the crop and farmland expected averages would be affected by the correct acreage amounts.

- 5) The County Farmland Review Committees could also object to the base data (i.e., productivity indices or agricultural economic values (AEV)) provided by the Farmland Assessment Technical Advisory Board ~~7-determined-by-the-University-of-Illinois-College-of-Agriculture~~ and utilized by the Department. In all such cases, the challenge must be based upon the same procedures and time frames (e.g., ~~same-10-year-period-to-compute-yield-data-for-productivity-indices--or~~ same 5 year period for farmland mortgage interest rate) as the base data ~~utilized--by--the--University--of--Illinois~~. Any alternate net income, AEV, or productivity index data presented should be sufficiently detailed so as to permit analysis of how the corrected values were ~~derived~~ **arrived-at**.

(Source: Amended at 20 Ill. Reg. **13611**, effective ~~OCTOBER 1996~~)

Section 110.170 Assessors' Bonus

- a) Section 4-20 of the Property Tax Code [35 ILCS 200/4-20] ~~Stat--1983--Ch--120--Par--403-77~~ **110.170** provides a \$3,000 bonus for township and multi-township district assessors, including supervisors of assessments, who meet specified uniformity criteria in counties with fewer than 3,000,000 inhabitants. Application for the bonus shall ~~will~~ be made to the Department on ~~of~~ Form No. PTAX-205 ~~P-T-A-B--205~~. In all cases, it is incumbent upon the applicant to provide all data and information necessary to substantiate eligibility for the bonus. The information requested on Form No. PTAX-205 ~~P-T-A-B--205~~ is mandatory and failure to provide accurate and complete data as specified ~~shall~~ **will** result in rejection of the application. Additional information may be requested by the Department to aid in the determination of whether or not the coefficient of dispersion and level of assessment meet the legal requirements. The need for additional information, as well as the type of supporting documentation that may be required, is dependent upon the approach and methodology selected by the applicant to document their eligibility for the bonus. The filing time frame for submitting the application and supporting documentation shall ~~will~~ begin April 15 and continue until 60 days after the tentative equalization factor is certified to the county. Applications for the \$3,000 bonus and all necessary documentation must be received within the specified time frame for ~~during~~ the assessment year in question.

- b) In determining the current level of assessments for the jurisdiction, the Department shall ~~will~~ use the most recent three-year adjusted median as determined by the assessment/sales ratio study, e.g., for

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

the 1995 bonus, the Department shall use the 1992, 1993 and 1994 levels of assessment. Adjustments to the study data may be made on the basis of changes reported by the assessor on the application form and on any alternative sales ratio data submitted. For an application by a township or multi-township assessor, the average of the most recent three-year levels shall be adjusted only to reflect action by the township or multi-township assessor. Adjustments to the Department's most recent urban weighted three-year average county level for an application submitted by a Supervisor of Assessments shall will be made on the basis of assessment information provided on Form Nos. PTAX-280-A ~~P-T-A-B--Form--280a~~ (Tentative Abstract of Assessments), PTAX-280-R (Reclassification Table) and PTAX-204-S/A (Report on Equalization of Local Assessment by Supervisor of Assessments). Decisions relating to the coefficient of dispersion for purposes of qualifying for the bonus shall will be made using the Department's most recent single year assessment/sales ratio data, e.g., for the 1995 bonus award, the Department shall use the 1994 single-year sales ratio study. More recent or supplemental data shall will be accepted from the applicant to aid in determining whether or not the uniformity criteria for the assessment year being applied for meets the legal requirement. Alternate or supplemental data may take the form of current year sales from the jurisdiction matched with prior year assessments, adjusted-for-changes-made-since-the-data-was collected. If there is an insufficient number of sales in an assessment jurisdiction, appraisals Appraisals may also be used when provided by an objective source having no personal, business, or monetary interest in the Department's decision to award or withhold the bonus. If appraisals are submitted, the properties involved must be shown to have been selected in a random manner that adequately represents the jurisdiction or assessment district. As an alternate to appraisals in cases where there is an insufficient number of sales, a trending technique may be used to adjust the sale price for time. Whenever alternate sales ratio study data are is submitted, the sales used must conform to those edit standards commonly accepted in the appraisal field for determining "arms length" transactions, as detailed in the publication "Standard on Ratio Studies" Standard-on Assessment-Ratio-Studies (International Association of Assessing Officers-1990 ~~1990~~ edition). This incorporates no later amendment or edition.

c) Department Audits

1) The Department may conduct field audits to determine the validity and accuracy of information and data provided on or with the application. Field audits shall will be conducted under two circumstances:

- A) on a random basis;
- B) whenever the petitioner's study data qualifies for the bonus but Department sales data do does not indicate compliance with bonus will requirements.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 2) The audit may include but not be limited to the assessor's books, abstracts, and property record cards. Failure to provide or have available information deemed necessary for the audit shall will result in denial of the bonus application.
- d) The Department may utilize assessment/sales ratio data from its annual study to evaluate the need for an in-depth review, pursuant to subsections (a), (b) and (c), of a bonus application and supporting data. In situations where Department data are is sufficient in quantity (i.e., 25 useable sales per township, other than townships for which 25 sales are not normally available), representative of the district (i.e., sufficient sales by geography and class of property), and clear as to both the current level and uniformity of assessments within the jurisdiction as required by Section 4-20 of the Property Tax Code ~~2-7-of-the-Act~~, decisions regarding eligibility for the bonus may be made without review or audit of data presented with the application. Unless the petitioner can provide additional information which changes the Department of Revenue study so as to qualify the applicant for the bonus or information that reveals an error or omission in the Department's our study, the petition shall will be denied (assuming the Department's study does not indicate eligibility for the bonus).
- e) Decisions by the Department of Revenue shall will be made in writing to the applicant within-90-days-of-receipt-of-the-application-and-att supporting-documentation--including--any--additional--information required--by-the-Department-under-subsection-(a). Decisions affecting levels of assessment or coefficients of dispersion made in consideration of eligibility for the \$3,000 bonus are non-binding upon the Department's equalization factor computation process. All Department decisions regarding eligibility for the bonus shall will be final for the assessment year involved.
- f) Federal and State income taxes, the employee's share of Social Security taxes and, if applicable, the employee's share of contributions to the Illinois Municipal Retirement Fund shall be withheld from such \$3,000 bonus. An employee's withheld Social Security tax and Illinois Municipal Retirement Fund contribution shall be forwarded to the township, multi-township or county that employs the assessor for proper accounting and forwarding to the appropriate authorities. The township, multi-township or county that employs the assessor shall pay the employer's share of Social Security taxes and, if applicable, contributions to the Illinois Municipal Retirement Fund.

(Source: Amended at 20 Ill. Reg. 13611, effective 01-01-2000)

Section 110.175 Equalization by Chief County Assessment Officers in Counties with Fewer Than 3,000,000 Inhabitants Supervisor-of-Assessments

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

a) Section 9-210 of the Property Tax Code [35 ILCS 200/9-210 ~~Ill-Rev-Stat-1993, ch-120, par-484b~~ requires Chief County Assessment Officers in counties with fewer than 3,000,000 inhabitants ~~Supervisors of Assessments~~ to apply equalization factors to attain a level of assessments of 33 1/3% of market value, and Section 3-40 of the Property Tax Code [35 ILCS 200/3-40] provides that the Department will not reimburse a county for 50% of the amount of salary the county paid to of the Supervisor of Assessments for the preceding month unless the level of assessments is between 31 1/3% and 35 1/3% of fair cash value. For purposes of determining compliance with the statutory requirement, the Department will adjust prior year sales ratio data using the most recent Tentative Abstract of Assessments (Form PTAX-280-A), Reclassification Table (Form PTAX-280-R) and Report on Equalization of Local Assessment by Supervisor of Assessments (Form PTAX-204-S/A) ~~PTAX-280-R~~. This will be done to reflect current year assessment changes. Within 60 days after certification of the county's tentative equalization factor, the Department will make a determination as to whether or not the statutory assessment level range has been attained. If the required level has not been attained, the County Treasurer will be immediately notified in writing that State reimbursement for one-half of the Supervisor of Assessments' ~~Assessments~~ salary will not be made to the county. Reimbursement will not be reinstituted until a Tentative Abstract of Assessments received in a subsequent year reflects equalization, assessment and/or value changes sufficient to bring the level of assessments to within the range level prescribed by law. When the county again becomes eligible for Supervisor of Assessment salary reimbursement, the County Treasurer will be notified in writing. In all cases, determination as to the level of assessments for purposes of this Section ~~Public Act 03-1032~~ will not be made until after evidence (if any) submitted at the tentative equalization factor hearing is reviewed and the Department's findings concerning such evidence is certified to the County Clerk.

b) The 50% reimbursement to the county by the State shall include only reimbursement for the salary paid to the Supervisor of Assessments for the preceding month. Reimbursable salary shall not include amounts paid to the Supervisor of Assessments by the county for unused sick, vacation or compensatory days or other compensation not actually earned in the preceding month. Reimbursable salary may include the employee's share of Social Security, retirement, health insurance or other such employee contributions from salary for work during the preceding month and amounts paid into a deferred compensation program for work during the preceding month but shall not include amounts paid for a county's share of Social Security, retirement, health insurance or a county's share of any other such benefit.

(Source: Amended at 20 Ill. Reg. 13611, effective

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Section 110.180 Supervisor of Assessments Examination

- a) Section 3-5 of the Property Tax Code [35 ILCS 200/3-5] requires, in addition to certain designation and experience criteria, that in order to be eligible for appointment or election to the office of Supervisor of Assessments a person must pass an examination conducted by the Department to determine his or her competence to hold office. Eligibility must be met to be appointed, to file nomination papers, to be a candidate in a primary or general election, to be elected and to assume office.
- b) A person may take the Supervisor of Assessments examination in any county where it is given, and the results shall be valid in any county throughout the State.
- c) ~~County Examination Requests in Counties that Appoint a Supervisor of Assessments: If the presiding officer of the County Board intends to appoint a person to be Supervisor of Assessments who has not passed the Supervisor of Assessments examination within the requisite time, an examination administered by the Department shall be requested by the presiding officer of the County Board at least 21 days before an appointment is to be made. Before requesting that a Supervisor of Assessments examination be administered in a county that appoints a Supervisor of Assessments, one of the three following criteria must be met:~~
- 1) The current Supervisor of Assessments has died or submitted a resignation with an effective date.
 - 2) The County Board has voted to dismiss the current Supervisor of Assessments for misfeasance, malfeasance or nonfeasance. In this case, the examination will be given after the 21 day dismissal appeal period if no hearing is requested by the current Supervisor of Assessments. If a hearing is requested by the current Supervisor of Assessments pursuant to 35 ILCS 200/3-10, the examination will be scheduled only after the hearing and a final vote to dismiss the current Supervisor of Assessments.
 - 3) The presiding officer of the County Board ~~has voted to reappoint the current Supervisor of Assessments~~ and has notified the current Supervisor of Assessments within 90 to 120 days prior to the expiration of his term that the presiding officer does not intend to reappoint the Supervisor of Assessments.
- d) County Examination Requests in Counties that Elect a Supervisor of Assessments: A person who wants to be a candidate for elected Supervisor of Assessments in a county and who has not passed the Department examination within two years after the first day for filing nomination papers shall request at least 30 days before the first day for filing nomination petitions that the County Clerk request an examination be given by the Department. If a person makes such a request, the County Clerk shall at least 21 days before the first day for filing nomination petitions request that the Department administer an examination. The presiding officer of the County Board may request

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

at least 21 days before the first day for filing nomination petitions that the Department give the examination, and if the presiding officer does so, the County Clerk need not duplicate the request.

e) b7 Examination Score

- 1) A passing score of 70% or more correct will be valid for a two-year period commencing with the day the examination was taken.
- 2) If a person re-takes the examination, the most current examination score supersedes any previous examination score and the two-year period will begin with the most recent date that the person took and received a passing score on the examination.
- 3) In counties that appoint a Supervisor of Assessments, all persons certified to a county by the Department of Revenue as passing the examination shall be considered by that county as having met the examination requirements even though the two-year period may expire between the time the list in subsection (g) below is certified and the actual appointment is made. However, no list shall be valid for more than 120 days. If a person verifies having passed the test by presenting a grade request form pursuant to subsection (f)(1)(A) below, the test must have been taken within two years before the date the appointment is made.
- 4) In counties that elect a Supervisor of Assessments, a person presenting a grade request form pursuant to subsection (f)(2)(A) below at the time his or her nomination papers are filed shall be considered as having met the examination requirements even though the two-year period may expire between the time the nomination papers are filed and the elected Supervisor of Assessments assumes office. In such counties a person whose name appears on the list provided by the Department pursuant to subsection (f)(2)(B) below shall be considered as having met the examination requirements even though the two-year period may expire between the first day nomination papers may be filed and the time an elected Supervisor of Assessments assumes office.

f) Verification of Passing the Examination

- 1) In counties that appoint a Supervisor of Assessments, verification that a person is certified as having passed the examination within the required time period shall be made by:
 - A) The person presenting to the presiding officer of the County Board or his designee a grade request form signed by two Department examiners indicating the person received a grade of at least 70% on the examination within two years of the date of the appointment, or
 - B) The person's name appearing on the list requested by the presiding officer of the County Board or his designee and provided by the Department pursuant to subsection (g) below.
- 2) In counties that elect a Supervisor of Assessments, verification that a person is certified as having passed the examination

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

within the required time period at the time the person files nomination papers shall be made by:

- A) The person presenting to the County Clerk or his designee a grade request form signed by two Department examiners indicating the person received a grade of at least 70% on the examination within two years before the date the nomination papers were filed, or
- B) The person's name appearing on the list requested by the County Clerk or his designee or the presiding officer of the County Board or his designee and provided by the Department pursuant to subsection (g) below.

g) c7 List of People Passing Examination

- 1) The Department shall maintain a list of people who have passed the Supervisor of Assessments examination within the last two years. Such list shall include each person's name, address, telephone number, and examination score. A person who does not wish to be on the certified list for the county in which the exam is being given may sign a waiver to keep his or her name off that county's list. A person who does not wish to be on any certified list may so request on the examination application. A person who requests not to be on a list shall still receive a grade slip and, if a passing score was received, the grade slip signed by two Department examiners shall serve as proof of meeting the examination requirement for two years from the date of the examination. A person who has passed the examination but has requested that his or her name not be on any list may later request to be placed on a list for the remainder of the two years from the date of the examination.
- 2) The list of people with passing scores will be provided by the Department when there is a vacancy in the position of Supervisor of Assessments in a county that appoints a Supervisor of Assessments and the presiding officer of the County Board County Board Chairman or his designee requests such list. Additional updated lists may be provided until such time as the vacancy is filled.
- 3) When a vacancy is filled by a permanent appointment to the position of Supervisor of Assessments, all lists previously provided to that county shall be considered void in that county, and the county shall obtain an updated list of people passing the examination to fill any future Supervisor of Assessments vacancies. The appointment of an acting Supervisor of Assessments for 60 days does not void lists certified to the county to fill the current vacancy.
- 4) The list of people with passing scores shall be provided by the Department before an election in a county that elects a Supervisor of Assessments when the County Clerk or his designee requests such a list. The list shall be requested at least 10 days before the first day that nomination petitions may be filed.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

The request shall include the date on which nomination papers may first be filed, and the list shall include those who have passed the test within two years prior to that date.

b) d) Location of Examinations

- 1) The Supervisor of Assessments examinations shall be given in a county when the county requires such examination. The ~~otherwise~~ examination may also ~~will~~ be given on a regional basis with locations and examination dates being determined by the Department.
- 2) If an examination is scheduled based upon a county's request, the Department shall cancel the scheduled examination if a Supervisor of Assessments appointment is made from the Department's list prior to the examination date. The County Clerk shall immediately notify the Department of such appointment.

i) e) Publication Requirement

- 1) The Department of Revenue is responsible for meeting the statutory publication requirements for all regional examinations.
- 2) If the examination is conducted as a result of an individual county's request, then that county is responsible for meeting the statutory publication requirement.
- 3) Proof of publication must be submitted to the Department at or before the examination. If the publication requirement is not met by the county requesting an examination, the scores from that examination session shall be considered null and void. Proof of publication shall consist of a copy of the notice and a statement of the date of publication.
- 4) The published notice shall include the date, time, place and purpose of the examination, shall indicate that study materials are available and that the examination and facilities are accessible to handicapped individuals and shall indicate where application forms may be obtained. The notice shall be published in a local newspaper of general circulation in the county at least seven days before the examination is given.

j) f) Reappointment or Reelection

- 1) An incumbent Supervisor of Assessments is not required to take and pass the Supervisor of Assessments examination to be eligible for reappointment or reelection, to be appointed if the county changes from an elected to an appointed Supervisor of Assessments or to be elected if a county changes from an appointed to an elected Supervisor of Assessments.
- 2) A person currently holding the position of Supervisor of Assessments is not required to take and pass the Supervisor of Assessments examination to be appointed to and assume the office of ~~the position of~~ Supervisor of Assessments in another county or to file nominating papers, to be a candidate in a primary or general election, to be elected and to assume the office of ~~to the position of~~ Supervisor of Assessments in another county.

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 20 Ill. Reg. 13611, effective 6-1-1996)

Section 110.190 Property Tax Extension Limitation

a) New Property

- 1) New Property as defined in Section 18-185 of the Property Tax Code [35 ILCS 200/18-185] ~~1-5-of-the-Property-Tax-Extension Limitation-Act-(P.A.-87-177)~~ includes only:

A) New new improvements or additions to existing improvements on any parcel of real property that increased the assessed value of that real property during the levy year. It does not include maintenance and repair. The amount of value shall be limited to the actual value added by the new improvement, and-

B) Property that was exempt for any portion of the prior year and reclassified and assessed as non-exempt for the levy year.

2) ~~For-the-1991-levy-year, the dollar amount of--new-property--for each--taxing--district--subject--to--the-Property-Tax-Extension Limitation-Act--shall-be-reported--to--the-county-clerk--by--the supervisor--of--assessments--within-30-days-of-the-adournment-of the-Board-of-Review-or-by-the-county-assessor-within-10--days--of the-adournment-of-the-Board-of-Appeals--For-the-1991-levy-year the-supervisors--of--assessments--and--county-assessor--shall-use assessment-records--tax--codes--and--other--available--means--to accurately-report--the-amount-of-new-property--The-value-reported to--the-county-clerk-must-be-the-final-value-for-the-new-property after--final-Board-of-Review-or-Board-of-Appeals-action-~~

2) ~~3) The For--the--1992--and--subsequent--levy--years--the township assessors, multi-township assessors, Supervisors supervisors of Assessments assessments, County Assessors county--assessors, Boards of Review and Board of Appeals shall enter their assessments of new property located in taxing districts subject to the Property Tax Extension Limitation Law [35 ILCS 200/Art. 18, Div. 5] Act in separate columns specifically designated for new property in the assessment books.~~

3) ~~4) The following special situations are new property under the circumstances described:~~

A) New improvements or additions to existing improvements that increased the assessed value of property during the levy year in an Enterprise Zone comprise new property for that levy year only to the extent that taxes are not abated on this new property.

B) Property which receives a prorated assessment under Section 9-180 of the Property Tax Code [35 ILCS 200/9-180] ~~27a-of the-Revenue-Act-of-1999~~ because of the construction of new or added buildings, structures or other improvements which

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

were substantially completed or 7 initially occupied or initially used during the levy year is new property and the amount of new property for that levy year is the amount of the equalized prorated assessment. When this property receives the full assessment in the next levy year, the difference between the equalized prorated assessment and the next levy year's equalized assessment which is due to the new or added buildings, structures or other improvements which were substantially completed or initially occupied or initially used is the amount of new property for the next levy year.

4)5 New property does not include:

A) Property which in the prior year received a prorated assessment as damaged, uninhabitable property under Section 9-180 of the Property Tax Code [35 ILCS 200/9-180] ~~27a-of the Revenue-Act or as damaged property under Section 13-5 of the Property Tax Code [35 ILCS 200/13-5] 140-01-of-the Revenue-Act~~ (disaster area). However, there are three exceptions:

- i) If new improvements are added to the parcel, these new improvements are new property.
- ii) If square footage is added to the structure, this addition to the structure is new property.
- iii) If the property was completely destroyed and rebuilt, then the completely rebuilt structure is new property.

B) Property on which the assessment has increased under Section 10-50 of the Property Tax Code [35 ILCS 200/10-50] ~~203-3-of the Revenue-Act-of-1999~~ (phaseout of historic residence assessment) and property on which the assessment under Section 10-45 of the Property Tax Code [35 ILCS 200/10-45] (historic residence assessment) ~~203-2~~ has been revoked.

E) Property which was exempt during the ~~prior-levy-year--and reclassified-and-assessed-as-non-exempt-for-the-levy-year.~~

C)B) Property which was exempt on January 1 of the levy year and reclassified and assessed as non-exempt during the levy year.

D)B) That portion of property receiving the homestead improvement exemption under Section 15-180 of the Property Tax Code [35 ILCS 200/15-180] ~~Sections-19-23-2-or-19-23-3-of the Revenue-Act-of-1999.~~ However, the additional assessment attributable to the removal or expiration of the homestead improvement exemption is new property in the year of the removal or expiration. The value of the new property shall be the most recent assessed value of that portion for which the homestead improvement exemption has expired or is removed times the equalization factor.

E)P) Omitted property assessed under Section 9-265 of the Property Tax Code [35 ILCS 200/9-265] ~~280-of-the--Revenue~~

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Act.
F)S) New improvements or additions to existing improvements on property in a redevelopment project area, as defined in the Tax Increment Allocation Redevelopment Act [65 ILCS 5/Art. II, Div. 74.4], the Industrial Jobs Recovery Law [65 ILCS 5/Art. II, Div. 74.6] or the Economic Development Area Tax Increment Allocation Act [20 ILCS 620], that increased the assessed value of property during the levy year ~~in-a-tax increment-financing-district.~~

G)H) All increases in the assessment of land.

b) Levies Subject to Annual Backdoor Referendum

1) Section 18-190 of the Property Tax Code [35 ILCS 200/18-190] ~~1-7(a)-of-the-Property-Tax-Extension-Limitation-Act~~ requires that a new rate or a rate increase be approved at a direct referendum before it becomes effective for an affected taxing district subject to the Property Tax Extension Limitation Law.

2) Rates required to extend taxes on levies subject to a backdoor referendum in each year there is a levy are not new rates or rate increases under Section 18-190 ~~1-7(a)~~ if a levy has been made for the fund in one or more of the preceding three levy years.

3) If a higher statutory rate limit for the fund is enacted and a levy causes the rate to be above the previous statutory rate limit, this is a rate increase under Section 18-190 ~~1-7(a)~~ which must be submitted to direct referendum in order to become effective.

4) When a levy for a specific fund is made for the first time, this is a new rate under Section 18-190 ~~1-7(a)~~ without regard to whether it is a new statutory authorization.

c) Computation of the Limiting Rate

1) When computing the limiting rate, the incremental equalized assessed value in a tax increment financing district is not included in the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year.

2) When computing the limiting rate, the equalized assessed value in an Enterprise Zone is not included in the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year to the extent that taxes are abated on this property.

3) ~~When adjusting the limiting rate for a disconnection, the current levy year's equalized assessed value of property which was under the jurisdiction of the taxing district during the prior levy year, but which is part of the disconnected territory, is subtracted from the denominator of the limiting rate.~~

(Source: Amended at 20 Ill. Reg. 13611, effective 01-01-2000)

DEPARTMENT OF STATE POLICE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Procedures of the Department of State Police Merit Board

2) Code Citation: 80 Ill. Adm. Code 150

3) Section Numbers: Adopted Action:
150.220 Amendment

4) Statutory Authority: [20 ILCS 2610/9].

5) Effective Date of Rulemaking: October 3, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: June 26, 1996

9) Notice of Proposal Published in Illinois Register: July 12, 1996, 20 Ill. Reg. 8990

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: Format changes were made in accordance with the suggestions received from the Administrative Code Unit.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? Yes

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: Section 150.220 - Polygraph testing on applicants has previously been done by the Illinois State Police. The Merit Board will now administer this testing along with the rest of the applicant selection process with the exception of the medical examination which is now being administered by the Illinois State Police.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: James E. Seiber, Executive Director
Address: 3180 Adloff Lane, Suite 100
Springfield, Illinois 62703
Telephone: (217) 786-6240

DEPARTMENT OF STATE POLICE

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF STATE POLICE

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

SUBPART A: DEFINITIONS

Section
150.10

Definitions

Section
150.210
150.220
150.230
150.240

Qualifications
Selection Procedures
Recertification
Probationary Period

SUBPART B: CERTIFICATION FOR APPOINTMENT

SUBPART C: CLASSIFICATION OF RANKS

Section
150.310
150.320

Ranks
Interdivisional Transfers

SUBPART D: CERTIFICATION FOR PROMOTION

Section
150.410
150.420
150.430
150.440

Board Responsibilities
Eligibility
Procedures
Promotion Probationary Period (Repealed)

SUBPART E: DISCIPLINARY ACTION

Section
150.510
150.520
150.530
150.540
150.550
150.560
150.565
150.570
150.575
150.580
150.585

Merit Board Jurisdiction
Discipline Afforded the Deputy Director
Notification to Suspended Officer
Petition for Review
Form and Content of Petition for Review
Filing Procedures
Procedure for Processing Petition for Review
Director's Review
Discipline Afforded the Director
Complaint Procedures
Scheduling the Hearing

DEPARTMENT OF STATE POLICE

NOTICE OF ADOPTED AMENDMENTS

150.590 Notification to Officer

SUBPART F: HEARINGS

Section

150.610 Board Docket
150.620 Hearing Officer
150.630 Pre-hearing Conferences
150.640 Motions
150.650 Subpoenas
150.655 Request for Witnesses or Documents
150.660 Evidence Depositions
150.665 Hearing Procedures
150.670 Continuances and Extensions of Time
150.675 Computation of Time
150.680 Decisions of the Board
150.685 Service and Form of Papers

APPENDIX A Vision Standards

APPENDIX B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act [20 ILCS 2610/3 through 14].

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendments at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendment at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendment at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill.

DEPARTMENT OF STATE POLICE

NOTICE OF ADOPTED AMENDMENTS

Reg. 11007, effective July 15, 1991; amended at 16 Ill. Reg. 11835, effective July 13, 1992; emergency amendment at 16 Ill. Reg. 17372, effective October 29, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 9716, effective June 10, 1993; expedited correction at 17 Ill. Reg. 14684, effective June 10, 1993; amended at 17 Ill. Reg. 21079, effective November 22, 1993; amended at 19 Ill. Reg. 6679, effective May 1, 1995; amended at 19 Ill. Reg. 7970, effective June 1, 1995; amended at 20 Ill. Reg. 404, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 8062, effective June 4, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. **13663**, effective OCT 8 1996.

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section 150.220 Selection Procedures

a) Procedures shall consist of:

- 1) Application
- 2) Written Entrance Examination
- 3) Physical Ability Test
- 4) Oral Interview
- 5) Background Investigation
- 6) Psychological Screening
- 7) Polygraph Testing **Medical-Examination**

- b) Preference shall be given to all persons who have honorably served in the Military or Naval Services of the United States.

(Source: Amended at 20 Ill. Reg. **13663**, effective OCT 8 1996)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Food Stamps
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) Section Number: Emergency Action:
121.182 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

- 5) Effective Date of Amendments: October 8, 1996

- 6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

- 7) Date Filed in Agency's Principal Office: October 8, 1996

- 8) Reason for Emergency: The Minimum Wage Increase Act of 1996, H.R. 3448 (P.L. 104-188), was enacted on August 20, 1996. Under Earnfare, working off Food Stamps and the amount paid per hour after that are based on the minimum wage. The Department must make immediate changes in its Earnfare rules in order to accommodate the minimum wage changes into the Earnfare Program.

- 9) Complete Description of the Subjects and Issues Involved: The Department is revising its food stamp rules based on the new requirements under the Minimum Wage Increase Act of 1996, H.R. 3448 (P.L. 104-188), which was enacted on August 20, 1996. These proposed amendments enable the Department to increase Earnfare participants' overall benefit level by raising the maximum amounts Earnfare participants can earn each month in relation to the increases in the federal minimum wage.

Recently, the United States Senate approved a 90-cent increase in the federal minimum wage. This increase will affect many workers throughout the nation including volunteers participating in the Earnfare program. This increase will raise the minimum wage of \$4.25 per hour in two increments:

- effective October 1, 1996, the federal minimum wage was increased by .50¢ per hour to \$4.75; and
- effective September 1, 1997, the federal minimum wage will be increased by .40¢ per hour to \$5.15.

As authorized by P. A. 87-893, "Persons participating in Earnfare shall engage in employment-assigned activities equal to the amount of food stamp benefits divided by the federal minimum wage and subsequently earn minimum wage for each additional hour in Earnfare activity...up to \$231 per

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

month". Recently, the Food and Consumer Service (FCS) increased the maximum monthly food stamp allotment for a single individual from \$119 to \$120. In order to minimize the impact of this and future FCS increases in food stamp allotments, effective August 14, 1996, at 20 Ill. Reg. 11935, the Department standardized the Earnfare work-off maximum at 26 hours by rule.

Currently, an Earnfare participant may work up to 80 hours per month and earn up to \$231 per month. At the same time the minimum wage is increasing, the Department must also plan for implementation of federal reform which will limit food stamp benefits for single individuals, ages 18-50, to three out of 36 months, unless the client:

- is exempt from meeting the work requirement;
- is employed 20 hours per week; or
- participates in and complies with workfare.

The increase in the federal minimum wage will have a substantial impact on the Earnfare program and the clients the Department serves. As a result of this rulemaking, effective October 1, 1996, the date the federal minimum wage was increased to \$4.75 per hour, an individual participating in Earnfare will be able to earn a maximum of \$261 per month. Effective September 1, 1997, when the federal minimum wage is increased to \$5.15 per hour, an individual participating in Earnfare will be able to earn a maximum of \$294 per month.

The work-off amount for food stamp benefits, based on the increases in federal minimum wage, will be as follows:

Federal Minimum Wage	Food Stamp Hours Worked	Potential Earnfare		Maximum Monthly Earnfare	
		Hours	Wages	Hours	Wages
\$4.25 (previous)	26	54	80		\$231
\$4.75 (10/96)	25	55	80		\$261
\$5.15 (9/97)	23	57	80		\$294

10) Are there any Proposed Amendments pending to this Part? Yes

Sections Proposed Action Illinois Register Citation

121.7	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.20	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.22	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.23	New Section	August 2, 1996 (20 Ill. Reg. 10263)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

121.24	New Section	August 2, 1996 (20 Ill. Reg. 10263)
121.25	New Section	August 2, 1996 (20 Ill. Reg. 10263)
121.26	New Section	August 2, 1996 (20 Ill. Reg. 10263)
121.27	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.29	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.30	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.30	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.31	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.31	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.50	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.57	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.60	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.61	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.63	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.63	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.64	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.70	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.71	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.75	Amendment	August 2, 1996 (20 Ill. Reg. 10263)
121.93	Amendment	August 30, 1996 (20 Ill. Reg. 11581)
121.94	Amendment	August 30, 1996 (20 Ill. Reg. 11581)
121.98	New Section	August 30, 1996 (20 Ill. Reg. 11581)
121.131	Amendment	October 11, 1996 (20 Ill. Reg. 13151)
121.151	Amendment	October 11, 1996 (20 Ill. Reg. 13151)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
217/524-0081

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section	
121.1	Application for Assistance
121.2	Time Limitations on the Disposition of an Application
121.3	Approval of an Application and Initial Authorization of Assistance
121.4	Denial of an Application
121.5	Client Cooperation
121.6	Emergency Assistance
121.7	Expedited Services
121.10	Interviews

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.19	Ending a Voluntary Quit Disqualification
121.20	Citizenship
121.21	Residence
121.22	Social Security Numbers
121.23	Work Registration/Participation Requirements (Repealed)
121.24	Individuals Exempt From Work Registration Requirements (Repealed)
121.25	Failure to Comply (Repealed)
121.26	Period of Disqualification (Repealed)
121.27	Voluntary Job Quit
121.28	Good Cause for Voluntary Job Quit
121.29	Exemptions from Voluntary Quit Rule

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.30	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits
121.33	Unearned Income In-Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work/Study/Training Programs
121.52	Earned Income from Roomer and Boarder

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

121.53	Income From Rental Property
121.54	Earned Income In-Kind
121.55	Sponsors of Aliens
121.57	Assets
121.58	Exempt Assets
121.59	Asset Disregards

SUBPART D: ELIGIBILITY STANDARDS

Section	
121.60	Net Monthly Income Eligibility Standards
121.61	Gross Monthly Income Eligibility Standards
121.62	Income Which Must Be Annualized
121.63	Deductions From Monthly Income
121.64	Coupon Allotment

SUBPART E: HOUSEHOLD CONCEPT

Section	
121.70	Composition of the Assistance Unit
121.71	Living Arrangement
121.72	Nonhousehold Members
121.73	Ineligible Household Members
121.74	Strikers
121.75	Students
121.76	Households Receiving AFDC, SSI, Interim Assistance and/or GA -
	Categorical Eligibility

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section	
121.80	Fraud Disqualification (Renumbered)
121.81	Initiation of Administrative Fraud Hearing (Repealed)
121.82	Definition of Fraud (Renumbered)
121.83	Notification To Applicant Households (Renumbered)
121.84	Disqualification Upon Finding of Fraud (Renumbered)
121.85	Court Imposed Disqualification (Renumbered)
121.90	Monthly Reporting and Retrospective Budgeting
121.91	Monthly Reporting
121.92	Retrospective Budgeting
121.93	Direct Mail Issuance of Food Stamp Coupons
121.94	Replacement of Food Stamp Coupons
121.95	Restoration of Lost Benefits
121.96	Uses For Food Coupons
121.97	Supplemental Payments
121.98	Food Stamp Simplified Application Demonstration Project (Repealed)
121.120	Recertification of Eligibility
121.130	Residents of Shelters for Battered Women and their Children

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

121.135 Incorporation By Reference
 121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section
 121.150 Definition of Intentional Violations of the Program
 121.151 Penalties for Intentional Violations of the Program
 121.152 Notification To Applicant Households
 121.153 Disqualification Upon Finding of Intentional Violation of the Program
 121.154 Court Imposed Disqualification

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section
 121.160 Persons Required to Participate
 121.162 Participation and Cooperation Requirements
 121.164 Orientation

121.166 Assessment and Employability Plan

121.170 Job Search Component

121.172 Basic Education Component

121.174 Job Readiness Component

121.176 Work Experience Component

121.178 Job Training Component

121.180 Grant Diversion Component

121.182 Earnfare Component

EMERGENCY

121.184 Sanctions

121.186 Good Cause for Failure to Cooperate

121.188 Supportive Services

121.190 Conciliation and Fair Hearings

121.200 Types of Claims (Recodified)

121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)

121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)

121.203 Collecting Claim Against Households (Recodified)

121.204 Failure to Respond to Initial Demand Letter (Recodified)

121.205 Methods of Repayment of Food Stamp Claims (Recodified)

121.206 Determination of Monthly Allotment Reductions (Recodified)

121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)

121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12319, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8998, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994;

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days.

13668

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section 121.182 Earnfare Component

EMERGENCY

- a) Assignment to the Earnfare Component is limited to adults who receive food stamps and who volunteer or are court-ordered to participate.
- b) Eligibility Criteria
 - 1) Eligibility for the Earnfare Component shall be limited to six months out of any 12 consecutive month period except that court-ordered participants shall participate for less than six months out of any 12 consecutive month period.
 - 2) Individuals are not entitled to be placed in an Earnfare slot. Earnfare slots shall be made available only as resources permit.
 - 3) To the extent resources permit, the Earnfare program will allow individuals to work for monthly payments and to improve their employability in order to succeed in obtaining employment.
- c) Administration and Contracts
 - 1) The Illinois Department shall administer the Earnfare program in Chicago.
 - 2) The Illinois Department may enter into cooperative agreements with local governmental units in selected geographic areas which want to participate in the operation of the Earnfare program outside the City of Chicago. The Department shall establish the policies and procedures for the program and monitor Earnfare programs in local governmental units. Local governmental units will be eligible to participate in the operation of an Earnfare program in the following priority order as resources permit:
 - A) Local governmental units that receive State funds
 - B) Local governmental units that neither receive State funds nor are under a current contract with the Department will be eligible to contract with the Department to administer Earnfare. The Department will reimburse client payments, transportation and up to 50% of allowable administrative staff costs. The Department will select non-receiving units to participate in the program from the applications received

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

based on, but not limited to, the unemployment rate, percentage of the population receiving food stamps, outreach and recruitment plans, linkage with employers and connection to a court of competent jurisdiction to enable operation of the Non-custodial Parent/Earnfare Initiative.

- 3) The Illinois Department may enter into contracts with other public agencies including State agencies, local governmental units, and not-for-profit community based organizations to help develop Earnfare opportunities and otherwise administer the program.

- 4) The Illinois Department may enter into contracts with community based organizations as comprehensive providers to administer and operate Earnfare in the City of Chicago.

- 5) The Illinois Department shall provide Worker's Compensation coverage for each individual assigned to Earnfare.

d) Notification and Referrals

- 1) In areas where an Earnfare program is operating, when the Illinois Department or the local governmental unit learns that individuals are in the following categories, it shall inform them in writing and, whenever possible, orally of the existence of Earnfare and the method for requesting an Earnfare referral.
 - A) Households approved or certified for non-assistance food stamps which do not have net food stamp income in excess of \$154.00 per month;
 - B) All persons denied or terminated from State Transitional Assistance because they are employable; and
 - C) All Earnfare participants shall be given a written notice at the time they leave the Earnfare program specifying when they will re-qualify.

- 2) The Illinois Department, comprehensive providers and participating downstate units shall make referrals to the Earnfare program as follows:
 - A) Any person may request a referral.
 - B) Exempt and nonexempt food stamp individuals and individuals not receiving food stamps who are non-custodial parents of AFDC children may be ordered by a court of competent jurisdiction to participate in the Earnfare Component.

C) Within 30 days after a request for an Earnfare referral:

- i) persons who do not qualify for the Earnfare program shall be given or sent a notice informing them that they do not qualify and will not receive a referral;
- ii) persons who request a referral and who qualify for the Earnfare program shall be provided with a written document that acknowledges the request and informs the individual that he/she is qualified.

- 3) Within 30 days after notice of eligibility, individuals shall be assessed and referred to appropriate Earnfare slots, if slots are available.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

- e) For the purposes of Earnfare, a "suitable" Earnfare slot must meet the following requirements:
 - 1) there are no questions as to the individual's ability to engage in such employment for medical reasons or because the individual has no way to get to or from the particular job;
 - 2) there are no questions of working conditions, such as risks to health, safety, or lack of worker's compensation protection;
 - 3) the individual may not be required, as a condition of employment, to join, resign from, or refrain from joining any legitimate labor organization;
 - 4) there is no unreasonable degree of risk to the individual's health and safety; and
 - 5) the individual is physically and mentally competent to perform the work.

- f) Individuals participating in Earnfare shall not displace or substitute for regular, full-time or part-time employees, regardless of whether the employee is currently working, on a leave of absence, or in a position or similar position where a layoff has taken place or the employer has terminated the employment of any regular employee or otherwise reduced its work force with the effect of filling the vacancy so created with an individual subsidized under this program, or is or has been involved in a labor dispute between a labor organization and the sponsor.

g) Entry into the Component

- 1) Individuals shall be referred to suitable Earnfare slots with local governmental units, not-for-profit community based and local organizations, other public agencies, including State agencies, and with private employers.
- 2) To the extent appropriate slots are available, individuals will be referred to suitable Earnfare activities based on an assessment of the individual's age, literacy, education, educational achievement, job training, work experience, and recent institutionalization, whenever these factors are known and are relevant to the individual's success in carrying out the assigned activities and in ultimately obtaining employment. The Department or the participating local governmental unit shall discuss with the individual available Earnfare assignments, together with any restrictions and qualifications the Earnfare employers have specified for the assignments. The individual's personal preferences for available Earnfare assignments and the individual's employment goals shall be ascertained and considered in making the Earnfare referral.

- 3) The Department, comprehensive providers and local governmental units shall maintain up-to-date public listings by area of Earnfare employers and current information regarding openings in those projects. These listings and the information shall be available to the public, in writing or by phone, during regular business hours.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

h) Payments

1) Individuals participating in Earnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of performance in Earnfare activity, up to a maximum of \$231-00 per month. Effective October 1, 1996, the date the federal minimum wage is increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261 per month. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294 per month. An individual is considered to have participated in Earnfare in any month he or she earns a payment.

A) If a court of competent jurisdiction orders an individual to participate in the Earnfare program, hours engaged in employment-assigned activities multiplied by the federal minimum wage shall first be applied as a \$50-00 payment made to the custodial parent as a support obligation. If the individual receives food stamps, the individual shall engage in hours of employment-assigned activities equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of performance in Earnfare activity. The individual can earn a maximum of \$231-00 each month including the amount of the support obligation. Effective October 1, 1996, the date the federal minimum wage is increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261 each month, including the amount of the support obligation. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294 per month, including the amount of the support obligation.

B) Individuals will be assigned hours of Earnfare based upon their initial food stamp authorization amount. An individual living in a multi-person food stamp household shall be deemed to be receiving a per capita share of the household's food stamp allotment, for purposes of calculating the Earnfare hours.

C) During an individual's Earnfare participation, the Department or the local governmental unit shall alter the Earnfare hours each time the individual's monthly food stamp benefit changes by at least \$20-00, effective the same month as the change in the food stamp benefit. Individuals and contractors will be notified by the Department or the local governmental unit of the number of hours of work to be

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

performed by an individual in Earnfare.

- 2) Individuals remain financially eligible for Earnfare and Earnfare job search activity so long as they receive food stamps. Receipt of food stamps is not an eligibility requirement of Earnfare when a court of competent jurisdiction orders an individual to participate who is a non-custodial parent of AFDC children.
- 3) The Department may pay participants directly or may contract for the Earnfare employer to pay the individual. Payments shall be made no less frequently than monthly. Individuals shall be paid only for the hours they have actually worked in excess of the food stamp hours of work obligation and, if ordered by a court of competent jurisdiction, in excess of food stamp hours and the support obligation.
- 4) Individuals shall be credited with hours of work that the Earnfare employer certifies them to have completed, according to criteria set forth in the contract with the Illinois Department, comprehensive providers or the local governmental unit. The Department, comprehensive providers or the local governmental unit staff shall attempt to resolve disputes between the Earnfare employer and the individual when there is disagreement over the number of hours worked. If the dispute cannot be resolved, the individual may utilize the Illinois Department's appeal process.
- 5) The Illinois Department or the provider shall, in advance, provide individuals participating in Earnfare who need transportation with the cost of transportation in getting to and from the Earnfare site and to Earnfare participants who are not by their Earnfare employer. Individuals obtaining unsubsidized employment while participating in Earnfare may be eligible for initial employment expenses as stated in Section 121.188.
- 6) Participants in the Earnfare job search activity are eligible for employer contact related expenses not to exceed \$20-00 every 30 days for a maximum of two months in a 12 consecutive month period.
- 7) The Illinois Department will provide necessary clothing to enable participants to report to their Earnfare job site. Participants will be required to submit a written request for clothing needed.

i) Participation Requirements

- 1) Individuals may volunteer to participate in Earnfare and participation shall be limited to only six months out of any 12 consecutive month period except that court-ordered participants shall participate for six months unless the court orders participation for less than six months out of any 12 consecutive month period. Individuals participating in Earnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of work up to a maximum of \$231-00 per month.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Effective October 1, 1996, the date the federal minimum wage is increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261 per month. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294 per month.

A) If a court of competent jurisdiction orders an individual to participate in the Earnfare program, hours engaged in employment-assigned activities multiplied by the federal minimum wage shall first be applied as a \$50-00 payment made to the custodial parent as a support obligation. If the individual receives food stamps, the individual shall engage in hours of employment-assigned activities equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each hour of performance in Earnfare activity up to \$231-00 including the amount of the support obligation. Effective October 1, 1996, the date the federal minimum wage is increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261 each month, including the amount of the support obligation. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294 per month, including the amount of the support obligation.

B) Individuals participating in Earnfare first work the number of hours equal to food stamp benefits and subsequently earn financial assistance benefits.

2) Individuals are required to report as scheduled and on time to their Earnfare employer when notified of a referral. When they cannot report to their Earnfare assignment or if they will be late, they are to immediately notify their Earnfare employer.

3) If the individual demonstrates an inability to sustain the work that has been assigned and the Earnfare assignment was appropriate to the individual's abilities, the Illinois Department shall re-assess the individual and, if appropriate, shall refer the person to apply for Transitional Assistance or Interim Assistance and federal SSI benefits. If the person is ordered by a court of competent jurisdiction to participate in the Earnfare Component, that person shall also be referred back to the court when unable to perform the work that has been assigned.

4) An individual may be dismissed by the employer from an Earnfare assignment prior to its completion. The Department, comprehensive providers or local governmental unit shall return an individual dismissed by an employer to the client pool. An individual dismissed by an employer shall be treated as a new

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

program entrant for the purpose of Earnfare assignments. A dismissal from an Earnfare assignment shall not cause a food stamp sanction.

5) During Earnfare assignment, individuals are required to accept bona fide offers of suitable employment pursuant to Section 121.162(c)(4).

6) During the Earnfare assignment participants are required to apply for suitable jobs for which the provider makes a referral.

7) Earnfare clients may participate in a voluntary job search activity as resources permit. There are no sanctions for failure to comply. Earnfare clients may participate for two months in a 12 consecutive month period, either concurrently or following the six-month eligibility period for Earnfare. Clients are required to make a minimum of 20 employer contacts each month while in the Earnfare job search activity.

13668

(Source: Emergency amendment at 20 Ill. Reg. October 8, 1996, for a maximum of 150 days)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of October 1, 1996 through October 7, 1996 and have been scheduled for review by the Committee at its October 15, 1996 or November 19, 1996 meetings. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
11/14/96	Department of Natural Resources, Consignment of Licenses, Stamps and Permits (17 Ill Adm Code 2520)	8/9/96 20 Ill Reg 10533	10/15/96
11/15/96	Department of Transportation, Qualification of Drivers (92 Ill Adm Code 391)	8/16/96 20 Ill Reg 10820	10/15/96
11/15/96	Department of Transportation, Parts and Accessories Necessary for Safe Operation (92 Ill Adm Code 393)	8/16/96 20 Ill Reg 10817	10/15/96
11/15/96	Department of Transportation, Driving of Motor Vehicles (92 Ill Adm Code 392)	8/16/96 20 Ill Reg 10787	10/15/96
11/15/96	Department of Transportation, Inspection, Repair and Maintenance (92 Ill Adm Code 396)	8/16/96 20 Ill Reg 10796	10/15/96
11/15/96	Department of Transportation, Driving and Parking (92 Ill Adm Code 397)	8/16/96 20 Ill Reg 10784	10/15/96
11/15/96	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	7/12/96 20 Ill Reg 8939	10/15/96
11/16/96	Department of Rehabilitation Services, Admission, Suspension, Expulsion and Discharge Procedures (89 Ill Adm Code 755)	7/12/96 20 Ill Reg 8955	10/15/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

11/16/96	Department of Rehabilitation Services, Non-Academic Programs and Policies (89 Ill Adm Code 830)	6/21/96 20 Ill Reg 8258	10/15/96
11/17/96	Department of Transportation, Hours of Service of Drivers (92 Ill Adm Code 395)	8/16/96 20 Ill Reg 10790	10/15/96
11/20/96	Department of Revenue, Retailers' Occupation Tax (86 Ill Adm Code 130)	7/5/96 20 Ill Reg 8626	11/19/96
11/20/96	Department of Revenue, Service Occupation Tax (86 Ill Adm Code 140)	7/5/96 20 Ill Reg 8637	11/19/96
11/20/96	Department of Revenue, Use Tax (86 Ill Adm Code 150)	7/5/96 20 Ill Reg 8649	11/19/96
11/20/96	Department of Revenue, Service Use Tax (86 Ill Adm Code 160)	7/5/96 20 Ill Reg 8644	11/19/96
11/20/96	Department of Revenue, Retailers' Occupation Tax (86 Ill Adm Code 130)	7/12/96 20 Ill Reg 8961	11/19/96

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PP - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR* Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR*	S - Suspension ordered by JCAR*
Objections	W - Withdrawal to meet JCAR*
O - JCAR* Statement Of Objections	Objections
RQ - Request for Correction	MR - Modification and Refusal
EC - Expedited Corrections	
*Joint Committee on Administrative Rules	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

AGING, DEPARTMENT ON	
89 Ill. Adm. Code 240	Community Care Program (P-12563/95;A-1493) (P-2627;A-8995) (P-5104;A-10597) (E-5388) (P-6613) (P-13463)
AGRICULTURE, DEPARTMENT OF	
8 Ill. Adm. Code 30	Animal Control Act (P-12734/95;A-1505)
8 Ill. Adm. Code 110	Animal Diagnostic Laboratory Act (P-12739/95;A-255) (P-8746)
8 Ill. Adm. Code 25	Animal Welfare Act (P-12750/95;A-265)
8 Ill. Adm. Code 60	Bees And Apiary Act (A-2390)
8 Ill. Adm. Code 75	Bovine Brucellosis (P-12762/95;A-1509) (P-8752)
8 Ill. Adm. Code 20	Definitions (P-12776/95;A-1522)
8 Ill. Adm. Code 85	Diseased Animals (P-12783/95;A-276) (E-6581) (P-8759;A-13039)
8 Ill. Adm. Code 65	Egg And Egg Products Act (P-12538)
8 Ill. Adm. Code 116	Equine Infectious Anemia Control (P-12798/95;A-290) (P-8773)
68 Ill. Adm. Code 590	Feeder Swine Dealer Licensing (P-12802/95;A-1532)
8 Ill. Adm. Code 281	Grain Code (P-1;A-5499) (RQ-6598) (EC-9585)
68 Ill. Adm. Code 600	Grain Dealers (PR-15;AR-5513)
8 Ill. Adm. Code 55	Hatcheries, Poultry Flocks, And Produce Thereof (P-12807/95;A-1537)
8 Ill. Adm. Code 90	Illinois Dead Animal Disposal Act (P-12812/95;A-294)

8 Ill. Adm. Code 285	Illinois Grain Insurance Act (PR-25;AR-5515)
8 Ill. Adm. Code 115	Illinois Pseudorabies Control Act (P-12821/95;A-1542) (P-8777)
8 Ill. Adm. Code 40	Livestock Auction Markets (P-12826/95;A-1546) (P-8790)
68 Ill. Adm. Code 610	Livestock Dealer Licensing (P-12832/95;A-1552) (P-8795)
8 Ill. Adm. Code 125	Meat And Poultry Inspection Act (PP-5091) (P-6626;A-11928) (PP-10403) (PP-12634)
2 Ill. Adm. Code 700	Organization Chart, Description, Rulemaking Procedure And Program (A-12773)
8 Ill. Adm. Code 505	Public Grain Warehouse And Warehouse Receipts Act (PR-33;AR-5517)
8 Ill. Adm. Code 100	Swine Brucellosis (P-12837/95;A-1557)
8 Ill. Adm. Code 105	Swine Disease Control And Eradication Act (P-12843/95;A-1563) (P-8799)
8 Ill. Adm. Code 600	Weights And Measures Act (P-13121/95;A-303)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF	
77 Ill. Adm. Code 2060	Alcoholism And Substance Abuse Treatment And Intervention Licenses (P-7086;A-13519)
77 Ill. Adm. Code 2057	Beverage Alcohol Sellers And Servers Education And Training (BASSET) Programs (P-7154;A-13591)
77 Ill. Adm. Code 2056	Driving Under The Influence Programs (PR-7160;AR-13588)
77 Ill. Adm. Code 2058	Licensure Of Alcoholism And Substance Abuse Treatment, Intervention And Research Programs (PR-7197;AR-13593)
77 Ill. Adm. Code 2070	Schedule Of Controlled Substances (P-12328/95;A-3081)
77 Ill. Adm. Code 2090	Subacute Alcoholism And Substance Abuse Treatment Services (E-12489)
77 Ill. Adm. Code 2080	Tripartite Prescription Control Program (P-12355/95;A-3107)

ATTORNEY GENERAL	
14 Ill. Adm. Code 200	Franchise Disclosure Act (RQ-3347) (EC-4458)
AUDITOR GENERAL	
74 Ill. Adm. Code 420	Code Of Regulations (P-12114/95;A-701)
74 Ill. Adm. Code 440	Code Of Rules (P-12143/95;A-730)

BANKING BOARD OF ILLINOIS, STATE	
38 Ill. Adm. Code 900	Hearings For Removal Of Directors, Officers, Employees Or Agents Of A State Bank Or Corporate Fiduciary (P-5326/95;A-11359)

BANKS AND REAL ESTATE, OFFICE OF	
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80 Ill. Adm. Code 2110 State Of Illinois Dependent Care Assistance Plan (P-12678)
80 Ill. Adm. Code 2120 State Of Illinois Medical Care Assistance Plan (P-12682)
80 Ill. Adm. Code 3000 The Travel Regulation Council (P-935;A-7372) (P-4887;A-9025) (C-5897)
80 Ill. Adm. Code 2800 Travel (P-942;A-7379)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 304 Access To And Eligibility For Child Welfare Services (P-10345/95;A-1569)
89 Ill. Adm. Code 336 Appeal Of Child Abuse And Neglect Investigation Findings (P-4511;A-10317) (E-4817)
89 Ill. Adm. Code 338 Appeal Of Foster Family Home License Denials By Relative Caregivers (P-12408/95;A-1574)
89 Ill. Adm. Code 380 Background Check Of Foster Family Home Applicants (PR-3629)
89 Ill. Adm. Code 385 Background Checks (P-3640) (E-3930) (P-5133) (M-5712) (O-5743) (RC-5745) (R-8072)
89 Ill. Adm. Code 358 Background Inquiry For Purchase Of Service Providers (PR-3643)
89 Ill. Adm. Code 305 Client Service Planning (P-8821/95;A-9030)
89 Ill. Adm. Code 404 Licensing Standards For Child Care Institutions And Maternity Centers (P-5160)
89 Ill. Adm. Code 401 Licensing Standards For Child Welfare Agencies (P-5173)
89 Ill. Adm. Code 405 Licensing Standards For Day Care Agencies (P-5184)
89 Ill. Adm. Code 407 Licensing Standards For Day Care Centers (P-10753) (E-11366) (PE-12530)
89 Ill. Adm. Code 406 Licensing Standards For Day Care Homes (P-5197)
89 Ill. Adm. Code 402 Licensing Standards For Foster Family Homes (P-10347/95;A-1589) (E-3954) (P-5221)
89 Ill. Adm. Code 408 Licensing Standards For Group Day Care Homes (P-5236)
89 Ill. Adm. Code 403 Licensing Standards For Group Homes (P-5261)
89 Ill. Adm. Code 410 Licensing Standards For Youth Emergency Shelters (P-5271)
89 Ill. Adm. Code 301 Placement And Visitation Services (P-3648;A-9036) (E-3961) (P-15116/95;A-4602) (P-10349/95;A-9518)
89 Ill. Adm. Code 357 Purchase Of Service (P-3650)
89 Ill. Adm. Code 356 Rate Setting (P-8805) (E-9265)
89 Ill. Adm. Code 335 Relative Home Placement (P-658;A-7795) (E-920)
89 Ill. Adm. Code 300 Reports Of Child Abuse And Neglect (P-4513;A-10328)
89 Ill. Adm. Code 302 Services Delivered By The Department (P-15120/95;A-4606) (P-16338/95;A-6670)
89 Ill. Adm. Code 312 Transfer Of Violent Offenders To The Department Of Corrections (P-660) (E-924)

4 Ill. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (CC-12644)
38 Ill. Adm. Code 396 Corporate Fiduciary Subsidiaries Applications and Notices (P-2638;A-10825)
38 Ill. Adm. Code 310 Electronic Fund Transfers (AR-10839)
38 Ill. Adm. Code 315 Electronic Fund Transfers (P-4871;A-10832)
2 Ill. Adm. Code 2300 Governmental Organization (CC-12526)
68 Ill. Adm. Code 1260 Land Sales Registration Act of 1989 (CC-11984)
68 Ill. Adm. Code 1455 Real Estate Appraiser Certification (P-12311)
38 Ill. Adm. Code 300 Reverse Mortgage Loans (CC-12645)
BANKS AND TRUST COMPANIES, COMMISSIONER OF
38 Ill. Adm. Code 396 Corporate Fiduciary Subsidiaries (P-2638)
38 Ill. Adm. Code 315 Electronic Fund Transfers (P-4871)
38 Ill. Adm. Code 310 Electronic Fund Transfers (PR-4850)
38 Ill. Adm. Code 900 Hearings For Removal Of Directors, Officers, Employees Or Agents Of A State Bank (P-5326) (RQ-12801)
38 Ill. Adm. Code 399 Standards For Operation And Conduct Of Affairs Of Corporate Fiduciaries (P-15290/95;A-5060)

CAPITAL DEVELOPMENT BOARD

2 Ill. Adm. Code 1651 Access To Information (P-9710)
71 Ill. Adm. Code 500 Asbestos Abatement Authority Act Procedures (P-9717)
44 Ill. Adm. Code 950 Bidder Responsibility (P-9721)
71 Ill. Adm. Code 10 Board Action (P-9725)
71 Ill. Adm. Code 1 Definitions (PR-9735)
44 Ill. Adm. Code 900 Definitions (PR-9731)
71 Ill. Adm. Code 100 Hearing Procedures (PR-9739) (P-9753)
44 Ill. Adm. Code 1050 Insurance And Surety Companies (PR-1702;AR-6688)
2 Ill. Adm. Code 1650 Organization (A-9917)
71 Ill. Adm. Code 20 Project Procedures (PR-9760)
71 Ill. Adm. Code 40 Standards For Award Of Grants Elementary And Secondary Schools Capital Assistance Program (P-9764)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival And Amusement Ride Inspection Law (P-11428)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 Ill. Adm. Code 3100 Auto Liability (P-13473)
80 Ill. Adm. Code 302 Merit And Fitness (P-14505/95;A-3507)
80 Ill. Adm. Code 310 Pay Plan (P-12365/95;A-308) (P-4008;A-8301) (E-4060) (P-4091;A-9006) (P-4491)
44 Ill. Adm. Code 1 (P-5405;A-10841) (PP-6334) (PP-7434) (RC-7691) (A-8657) (P-9777) (P-5106;A-9925) (E-10213) (P-13102) (PP-13408)
Standard Procurement (P-4878;A-9015) (C-5896)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

- 56 Ill. Adm. Code 2625 Economic Dislocation And Worker Adjustment Assistance (P-7701)
- 14 Ill. Adm. Code 510 Illinois Promotion Act Programs (P-16340/95;A-5064)
- 14 Ill. Adm. Code 550 Local Tourism And Convention Bureau Program (P-11515)
- 14 Ill. Adm. Code 610 Public Infrastructure Loan And Grant Programs (P-12849/95;A-1179)
- 56 Ill. Adm. Code 2600 Responsibilities (P-7473)
- 47 Ill. Adm. Code 110 State Administration Of The Federal Community Development Block Grant Program For Small Cities (P-947;A-7799) (RC-6586)
- 47 Ill. Adm. Code 120 State Administration Of The Federal Community Services Block Grant Program (R-3982) (P-4077) (P-13127/95;A-4611)

COMMERCE COMMISSION, ILLINOIS

- 2 Ill. Adm. Code 1701 Access To Information (A-4049)
- 83 Ill. Adm. Code 763 Approval Of Negotiated Agreements (P-8393) (E-8527)
- 83 Ill. Adm. Code 764 Approval Of Statements For Generally Available Terms (P-8395)
- 83 Ill. Adm. Code 762 Approval Or Rejection Of Arbitrated Agreements (P-8407)
- 83 Ill. Adm. Code 761 Arbitration Practice (P-8416) (E-8541)
- 83 Ill. Adm. Code 441 Effect Of Adoption Of Least-Cost Plans (P-969;A-9043)
- 92 Ill. Adm. Code 1205 Fees And Taxes (P-13481)
- 92 Ill. Adm. Code 1425 Financial Responsibility Of Carriers (P-13134)
- 83 Ill. Adm. Code 300 Guidelines For Right-Of-Way Acquisitions (P-8109)
- 92 Ill. Adm. Code 1456 Resolution Of Household Goods Disputes (P-10755)
- 83 Ill. Adm. Code 200 Rules Of Practice (P-11236/95;A-10607)
- 83 Ill. Adm. Code 725 Standards Of Service Applicable To 9-1-1 Emergency Systems (General Order 207)
- 83 Ill. Adm. Code 755 Telecommunications Access For Persons With Disabilities (RQ-9392) (EC-11490)
- 83 Ill. Adm. Code 757 Telephone Assistance Programs (P-7708)
- 83 Ill. Adm. Code 105 Waiver Of Filing And Approval Of Certain Sales, Leases And Mortgages (RQ-5737;EC-7557)

COMMUNITY COLLEGE BOARD, ILLINOIS

- 23 Ill. Adm. Code 1501 Administration Of The Illinois Public Community College Act (P-11527)

COMPTROLLER MERIT COMMISSION

- 80 Ill. Adm. Code 100 Merit Commission Rules (P-12865/95;A-746)

COMPTROLLER, OFFICE OF THE

- 38 Ill. Adm. Code 610 Illinois Funeral Or Burial Funds Act (P-3655;A-9530) (RC-9386)

CONSERVATION, DEPARTMENT OF

- 17 Ill. Adm. Code 130 Camping On Department Of Conservation Properties (P-1709;A-6683)
- 17 Ill. Adm. Code 1090 Implementing Procedures For The Interagency Wetlands Policy Act (P-14238/95;A-6693)
- 17 Ill. Adm. Code 210 Rental Of Boats And Boating Facilities (P-2647;A-6719)
- 17 Ill. Adm. Code 670 White-Tailed Deer Hunting By Use Of Bow And Arrow (P-2278;A-6723)
- 17 Ill. Adm. Code 660 White-Tailed Deer Hunting Season By Use Of Muzzleloading Rifles (P-2303;A-6734)

CORRECTIONS, DEPARTMENT OF

- 20 Ill. Adm. Code 103 Public Relations (RC-5746) (P-15567/95;A-8311)
- 20 Ill. Adm. Code 107 Records Of Committed Persons (P-54;A-6/45)
- 20 Ill. Adm. Code 525 Rights And Privileges (P-1719)
- 20 Ill. Adm. Code 801 Secure Residential Youth Care Facility (P-1371;A-6772) (W-7069)

CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS

- 20 Ill. Adm. Code 1520 Operating Procedures For The Administration Of Federal Funds (P-2645;A-8316) (E-3335)

EDUCATION, STATE BOARD OF

- 23 Ill. Adm. Code 185 Building Specifications For Health And Safety In Public Schools (PR-13996/95;AR-3515)
- 23 Ill. Adm. Code 650 Charter Schools (E-6329) (E-8677) (P-8807)
- 23 Ill. Adm. Code 175 Efficient And Adequate Standards For The Building Specifications For The Construction Of Schools (PR-14162/95;AR-3518)
- 23 Ill. Adm. Code 1 Public Schools Evaluation, Recognition And Supervision (P-16403/95;A-6255) (P-8419)
- 23 Ill. Adm. Code 120 Pupil Transportation Reimbursement (P-13485)
- 23 Ill. Adm. Code 525 Regional Offices Of Education And Intermediate Services (P-8585)
- 23 Ill. Adm. Code 575 School Technology Program (P-13701/95;A-3522)
- 23 Ill. Adm. Code 350 Secular Textbook Loan (P-4018;A-9951)
- 23 Ill. Adm. Code 226 Special Education (P-6101;A-10908)
- 23 Ill. Adm. Code 375 Student Records (P-8607)

EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS

- 23 Ill. Adm. Code 2310 Functions And Planning Program (P-5415;A-10336)

ELECTIONS, STATE BOARD OF

- 26 Ill. Adm. Code 207 Miscellaneous (P-5763)

EMPLOYMENT SECURITY, DEPARTMENT OF

- 56 Ill. Adm. Code 2725 Administrative Hearings And Appeals (P-11282/95;A-6378)
56 Ill. Adm. Code 2770 Determination Of Unemployment Contributions (P-13168/95;A-350)
56 Ill. Adm. Code 2765 Payment Of Unemployment Contributions, Interest And Penalties (P-15879/95;A-4307)

ENVIRONMENTAL PROTECTION AGENCY

- 35 Ill. Adm. Code 185 Environmental Laboratories Certification Fee Rules (Certification Fee Rules) (P-13481/95;A-13359)
35 Ill. Adm. Code 255 General Conformity: Criteria And Procedures (P-12543)
35 Ill. Adm. Code 370 Illinois Recommended Standards For Sewage Works (P-12832)
35 Ill. Adm. Code 183 Joint Rules Of The Illinois Environmental Protection Agency, The Illinois Department Of Public Health And The Illinois Department Of Nuclear Safety: Certification And Operation Of Environmental Laboratories (P-11731/95;A-3160)
35 Ill. Adm. Code 184 Licensing Of Industrial Hygienists (P-5419)
35 Ill. Adm. Code 366 Procedures And Requirements For Determining Loan Priorities For Municipal Wastewater Treatment Works (P-81)
35 Ill. Adm. Code 365 Procedures For Issuing Loans From The Water Pollution Control Revolving Fund (P-12860/95;A-788)
35 Ill. Adm. Code 276 Procedures To Be Followed In The Performance Of Annual Inspections Of Motor Vehicle Exhaust Emissions (P-4100;A-8456)

EXAMINERS, ILLINOIS STATE BOARD OF

- 23 Ill. Adm. Code 1400 Certificate Of Certified Public Accountant (P-8572/95;A-6262)

FINANCIAL INSTITUTIONS, DEPARTMENT OF

- 38 Ill. Adm. Code 110 Consumer Installment Loan Act (P-16410/95;A-5799)
38 Ill. Adm. Code 190 Illinois Credit Union Act (P-16415/95;A-5803) (E-13093)
38 Ill. Adm. Code 130 Schedules Of Maximum Rates To Be Charged For Check Cashing And Writing Of Money Orders By Community And Ambulatory Currency Exchanges (P-5770;A-13596)
38 Ill. Adm. Code 205 Transmitters Of Money Act (P-16423/95;A-5811)
38 Ill. Adm. Code 180 Uniform Disposition Of Unclaimed Property Act (P-16426/95;A-8325)

FIRE MARSHAL, OFFICE OF THE STATE

GAMING BOARD, ILLINOIS

- 86 Ill. Adm. Code 3000 Riverboat Gambling (P-7490/95;RC-4072) (P-15308/95;A-5814) (P-15308/95;A-6280) (P-7734) (E-8051) (P-10439)

HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS

- 77 Ill. Adm. Code 2510 Data Collection (P-15779/95;A-4727)

HEALTH FACILITIES AUTHORITY, ILLINOIS

- 2 Ill. Adm. Code 1901 Access To Information (A-358)
2 Ill. Adm. Code 1900 Public Information, Rulemaking And Organization (A-364)
77 Ill. Adm. Code 1400 Sale Of Bonds (P-91;A-5831)

HEALTH FACILITIES PLANNING BOARD

- 77 Ill. Adm. Code 1250 Appropriateness Review (CC-2595)
77 Ill. Adm. Code 1120 Health Facilities Planning Financial And Economic Feasibility Review (CC-2596)
77 Ill. Adm. Code 1130 Health Facilities Planning Procedural Rules (CC-2597)
77 Ill. Adm. Code 1100 Narrative And Planning Policies (CC-2594) (P-4141) (P-9470)
77 Ill. Adm. Code 1190 Permit Application Fees (CC-2598) (P-8948)
77 Ill. Adm. Code 1180 Practice And Procedure In Administrative Hearings (CC-2599)
77 Ill. Adm. Code 1110 Processing, Classification Policies And Review Criteria (CC-2600) (P-4149) (P-8085/95;A-4734)
77 Ill. Adm. Code 1200 Public Notice Of Opportunity For Public Hearing And Public Hearing Procedures (CC-2601) (P-4168;A-10697)
77 Ill. Adm. Code 1260 State Board Policy Statement Regarding Reserve Bed Capacity (CC-2602)

HISTORIC PRESERVATION AGENCY, ILLINOIS

ILLINOIS REGISTER		October 18, 1996	
Vol. 20, Issue #42	CUMULATIVE INDEX		

17 Ill. Adm. Code 4190	Rules For The Protection, Treatment And Inventory Of Archaeological And Paleontological Resources On Public Land (P-10496)
------------------------	----------------------------------------------------------------------------------------------------------------------------

HUMAN RIGHTS COMMISSION

56 Ill. Adm. Code 5300	Procedural Rules (P-97;A-7820) (E-410)
------------------------	----------------------------------------

HUMAN RIGHTS, DEPARTMENT OF

2 Ill. Adm. Code 926	Access To Information (RQ-5739;EC-7559)
56 Ill. Adm. Code 2520	Procedural (E-445) (P-15319/95;O-4073)
	(P-4892;A-10631) (E-5084) (P-15319/95;A-6291)
	(M-6345) (RC-6587)

INDUSTRIAL COMMISSION

50 Ill. Adm. Code 7030	Arbitration (P-7764/95;A-3820)
	(P-12569/95;A-4053)
50 Ill. Adm. Code 7100	Insurance Regulations (P-7770/95;A-3826)
50 Ill. Adm. Code 7020	Pre-Arbitration (P-12577/95;A-3842)

INSURANCE, DEPARTMENT OF

50 Ill. Adm. Code 925	Annual Audited Financial Report (P-12687)
50 Ill. Adm. Code 4801	Assigned Risk Procedures (CC-5732)
50 Ill. Adm. Code 2001	Construction And Filing Of Accident And Health Forms (P-5284)
50 Ill. Adm. Code 6602	Cost Containment Form And Data Reporting Requirements (CC-6590)
50 Ill. Adm. Code 952	Credit Accident And Health Insurance Rules (P-8882/95;A-830)
50 Ill. Adm. Code 1104	Credit For Reinsurance Ceded (P-12903/95;A-368)
50 Ill. Adm. Code 6302	Definition Of Salary (P-13707/95;A-5838)
50 Ill. Adm. Code 5302	Destruction Of Records (CC-6346)
50 Ill. Adm. Code 4405	Electronic Filing (P-12563)
50 Ill. Adm. Code 4401	Examination And Audit Procedure (P-12977)
50 Ill. Adm. Code 5602	Extension Of Service To Additional Counties (PR-11437)
50 Ill. Adm. Code 6101	Health Maintenance Organization (P-10937/95;10639)
50 Ill. Adm. Code 5502	Hospital Contracts And Benefits Payment (AR-12795)
50 Ill. Adm. Code 6601	Insurance Cost Containment Annual Fee (CC-6592)
50 Ill. Adm. Code 2405	Intergovernmental Joint Insurance Pool Annual Audited Financial Report (P-3673)
50 Ill. Adm. Code 5701	Internal Security Standard And Fidelity Bonds (CC-6593)
50 Ill. Adm. Code 5601	Internal Security Standards and Fidelity Bonds (AR-12799)
50 Ill. Adm. Code 5301	Internal Security Standards And Fidelity Bonds (CC-6347)

ILLINOIS REGISTER		October 18, 1996	
Vol. 20, Issue #42	CUMULATIVE INDEX		

50 Ill. Adm. Code 5501	Internal Security Standards And Fidelity Bonds (AR-12797)
50 Ill. Adm. Code 1102	Letters Of Credit (PR-12921/95;AR-386)
50 Ill. Adm. Code 930	Life Insurance Solicitation (P-14920/95;A-4313) (CC-5735)
50 Ill. Adm. Code 2008	Minimum Standards For Individual And Group Medicare Supplement Insurance (P-15154/95;A-6393)
50 Ill. Adm. Code 1410	Modified Guaranteed Annuity (MGA) Contracts (P-9803)
50 Ill. Adm. Code 6701	Notice Of Eligibility (CC-6595)
50 Ill. Adm. Code 6301	Pension And Examination Procedure (PR-12983)
50 Ill. Adm. Code 3119	Pre-Licensing And Continuing Education (P-4173;A-10340)
50 Ill. Adm. Code 6501	Preferred Provider Program Administrators (PR-3677;AR-9958)
50 Ill. Adm. Code 2051	Preferred Provider Program Administrators (P-4025;A-9960) (RO-12527) (EC-13435)
50 Ill. Adm. Code 916	Required Procedure For Filing And Securing Approval Of Life Insurance, Annuity And Accident And Health Insurance, Voluntary Health Services Plans, Vision Service Plans, Dental Service Plans, Pharmaceutical Service Plans, Limited Health Service Organizations And Health Maintenance Organizations Policy Forms (P-15881/95;A-6848)
50 Ill. Adm. Code 6201	Requirements (CC-6596)
50 Ill. Adm. Code 5100	Small Employer Carrier Actuarial Certification and Documentation Requirements (P-3688;A-12588)
50 Ill. Adm. Code 2801	Surplus Line Business Requirements (P-14232/95;A-5846)
50 Ill. Adm. Code 2017	Uniform Medical Claim And Billing Forms (P-12423/95;A-8497)
50 Ill. Adm. Code 1409	Valuation Of Life Insurance Policies (Including The Introduction And Use Of New Select Mortality Factors) (P-3695;A-12359)

LABOR RELATIONS BOARD, ILLINOIS STATE/ILLINOIS LOCAL

2 Ill. Adm. Code 2501	Freedom Of Information (P-662) (A-7384)
80 Ill. Adm. Code 1200	General Procedures (P-669;A-7391)
2 Ill. Adm. Code 2500	Public Information, Rulemaking And Organization (P-674) (A-7396)
80 Ill. Adm. Code 1210	Representation Proceedings (P-684;A-7406)
80 Ill. Adm. Code 1220	Unfair Labor Practice Proceedings (P-691;A-7415)

LABOR, DEPARTMENT OF

56 Ill. Adm. Code 350	Health And Safety (P-16758/95;A-7419)
56 Ill. Adm. Code 250	Illinois Child Labor Law (P-15154/95;A-6449)
56 Ill. Adm. Code 210	Minimum Wage Law (P-10254)

ILLINOIS REGISTER		ILLINOIS REGISTER	
CUMULATIVE INDEX		CUMULATIVE INDEX	
Vol. 20, Issue #42	October 18, 1996	Vol. 20, Issue #42	October 18, 1996
56 Ill. Adm. Code 355	Personnel Records Review Act (P-3729) (O-12274)	17 Ill. Adm. Code 130	Camping On Department Of Conservation Properties (P-1709)
LAW ENFORCEMENT TRAINING AND STANDARDS BOARD, ILLINOIS		62 Ill. Adm. Code 1845	Civil Penalties (P-1481/95;A-1946)
20 Ill. Adm. Code 1770	Part-Time Basic Training (P-15331/95;A-9047) (RC-7692) (P-10750)	17 Ill. Adm. Code 530	Cock Pheasant, Hungarian Partridge, Bobwhite Quail, And Rabbit Hunting (P-7483;A-12397) (C-8100)
LEGISLATIVE TRAVEL CONTROL BOARD		17 Ill. Adm. Code 2520	Consignment Of Licenses, Stamps And Permits (P-10533)
80 Ill. Adm. Code 2850	Travel For Legislative Employees (PR-3748;A-7854)	17 Ill. Adm. Code 740	Crow, Woodcock, Snipe, Rail And Teal Hunting (P-5927;A-10851)
LIQUOR CONTROL COMMISSION, ILLINOIS		62 Ill. Adm. Code 1840	Department Inspections (P-1485/95;A-1949)
11 Ill. Adm. Code 100	Illinois Liquor Control Commission (P-12165/95;A-834) (RQ-2244) (EC-4469)	17 Ill. Adm. Code 2030	Designation Of Restricted Waters In The State Of Illinois (P-12565/95;A-750) (P-4233;A-7864) (P-11537)
2 Ill. Adm. Code 2075	Public Information, Rulemaking And Organization (A-7511)	17 Ill. Adm. Code 730	Dove Hunting (P-5936;A-10861)
LOTTERY, DEPARTMENT OF		17 Ill. Adm. Code 590	Duck, Goose And Coot Hunting (P-13681/95;A-754) (P-7736;A-12417) (P-12994)
11 Ill. Adm. Code 1770	Lottery (General) (P-8174)	62 Ill. Adm. Code 1700	General (P-1492/95;A-1956)
2 Ill. Adm. Code 1350	Organization, Rulemaking And Public Information (A-6894)	62 Ill. Adm. Code 1701	General Definitions (P-1498/95;A-1962)
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF		62 Ill. Adm. Code 1848	General Rules Relating To Procedure And Practice (P-1526/95;A-1989)
59 Ill. Adm. Code 101	Administration (P-7276;A-13599)	17 Ill. Adm. Code 570	Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver And Woodchuck (Groundhog) Trapping (P-5948;A-12351)
59 Ill. Adm. Code 120	Medicaid Home And Community-Based Services Waiver Program For Individuals With Developmental Disabilities (P-6227/95;A-4762)	17 Ill. Adm. Code 2080	Operation Of Watercraft Carrying Passengers For Hire On Illinois Waters (P-11542)
59 Ill. Adm. Code 119	Minimum Standards For Certification Of Developmental Training Programs (P-13492)	62 Ill. Adm. Code 1817	Permanent Program Performance Standards--Underground Mining Operations (P-1530/95;A-1993)
59 Ill. Adm. Code 113	Minimum Standards For Licensure Of Community Residential Alternatives (P-13497)	62 Ill. Adm. Code 1816	Permanent Program Performance Standards--Surface Mining Activities (P-1569/95;A-2027)
59 Ill. Adm. Code 111	Recipient Rights (P-13487/95;A-5520)	62 Ill. Adm. Code 1778	Permit Applications--Minimum Requirements For Legal, Financial, Compliance, And Related Information (P-1627/95;A-2080)
59 Ill. Adm. Code 115	Standards And Licensure Requirements For Community-Integrated Living Arrangements (P-13502)	17 Ill. Adm. Code 110	Public Use Of State Parks And Other Properties Of The Department Of Conservation (CC-9389)
59 Ill. Adm. Code 258	Standards And Requirements For Pre-Admission Screening And Participating Mental Health Centers (P-8615)	17 Ill. Adm. Code 550	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote And Woodchuck (Groundhog) Hunting (P-6079;A-10874)
59 Ill. Adm. Code 112	Treatment And Habilitation Services (P-13507)	17 Ill. Adm. Code 2575	Relocation Assistance And Payment Program (P-13156/95;A-774)
NATURAL RESOURCES, DEPARTMENT OF		17 Ill. Adm. Code 210	Rental Of Boats And Boating Facilities (P-2647)
62 Ill. Adm. Code 1847	Administrative And Judicial Review (P-1454/95;A-1919)	62 Ill. Adm. Code 1772	Requirements For Coal Exploration (P-1631/95;A-2084)
17 Ill. Adm. Code 2650	Advertising In Department Publications (P-6633)	62 Ill. Adm. Code 1773	Requirements For Permits And Permit Processing (P-1637/95;A-2090)
62 Ill. Adm. Code 1761	Areas Designated By Act Of Congress (P-1470/95;A-1935)	62 Ill. Adm. Code 1785	Requirements For Permits For Special Categories Of Mining (P-1653/95;A-2107)
62 Ill. Adm. Code 1800	Bonding And Insurance Requirements For Surface Coal Mining And Reclamation Operations (P-1474/95;A-1939) (P-4224) (O-12275)		

62 Ill. Adm. Code 1774	Revision; Renewal; And Transfer, Assignment, Or Sale Of Permit Rights (P-2118/95;A-2118)	32 Ill. Adm. Code 501	Compensation Of Local Governments For Emergency Planning And Participation In Nuclear Emergency Response Exercises (P-8196) (PR-8199) (P-8341)
62 Ill. Adm. Code 1795	Small Operator Assistance (P-1670/95;A-2124)	32 Ill. Adm. Code 310	General Provisions (P-12306)
62 Ill. Adm. Code 1825	Special Permanent Program Performance Standards-- Operations On High Capability Lands (P-1676/95;A-2130)	32 Ill. Adm. Code 601	Licensing Requirements For Land Disposal Of Radioactive Waste (P-984;A-6904)
17 Ill. Adm. Code 810	Sport Fishing Regulations For The Waters Of Illinois (P-16344/95;A-4640)	32 Ill. Adm. Code 410	Radiation Inspectors And Inspections (P-2314;A-9570)
17 Ill. Adm. Code 690	Squirrel Hunting (P-5956;A-10882)	32 Ill. Adm. Code 320	Registration Of Radioactive Material, Radiation Machines, And Radiation Installations (P-2326;A-6912)
62 Ill. Adm. Code 1843	State Enforcement (P-1682/95;A-2136)	32 Ill. Adm. Code 420	Registration Of Radon Detection And Mitigation Services (P-3785;A-12608)
62 Ill. Adm. Code 300	Surface Mined Land Conservation And Reclamation Act (P-4199;A-9546)	32 Ill. Adm. Code 505	Safe Operation Of Nuclear Facility Boilers And Pressure Vessels (P-100;A-6455)
62 Ill. Adm. Code 1780	Surface Mining Permit Application--Minimum Requirements For Reclamation And Operation Plan (P-1687/95;A-2141)	32 Ill. Adm. Code 610	Volunteered Location(s) Procedures For Selecting A Site For The Development Of A Low-Level Radioactive Waste Disposal Facility (P-14511/95;A-1186)
62 Ill. Adm. Code 1779	Surface Mining Permit Applications - Minimum Requirements For Information On Environmental Resources (P-2146/95;A-2146)		
17 Ill. Adm. Code 720	The Taking Of Wild Turkeys - Fall Archery Season (P-6086;A-10890)		
17 Ill. Adm. Code 715	The Taking Of Wild Turkeys-Fall Gun Season (P-6093;A-10898)		
17 Ill. Adm. Code 710	The Taking Of Wild Turkeys-Spring Season (P-13158/95;A-777)		
62 Ill. Adm. Code 1850	Training, Examination And Certification Of Blasters (P-1697/95;A-2151)		
62 Ill. Adm. Code 1783	Underground Mining Permit Applications--Minimum Requirements For Information On Environmental Resources (P-1706/95;A-2160)		
62 Ill. Adm. Code 1784	Underground Mining Permit Applications--Minimum Requirements For Reclamation And Operation Plan (P-1712/95;A-2166)		
17 Ill. Adm. Code 1538	Urban And Community Forestry Grant Program (P-973;A-5788)		
17 Ill. Adm. Code 670	White-Tailed Deer Hunting By Use Of Bow And Arrow (P-2278)		
17 Ill. Adm. Code 650	White-Tailed Deer Hunting By Use Of Firearms (P-2287;A-7515)		
17 Ill. Adm. Code 660	White-Tailed Deer Hunting Season By Use Of Muzzleloading Rifles (P-2303)		
17 Ill. Adm. Code 680	White-Tailed Deer Hunting Season By Use Of Handguns (P-5963;A-10906)		
17 Ill. Adm. Code 685	Youth Hunting Season For White-Tailed Deer (P-7502;A-12452)		

NUCLEAR SAFETY, DEPARTMENT OF

32 Ill. Adm. Code 401	Accrediting Persons In The Practice Of Medical Radiation Technology (P-3772;A-12595)		
32 Ill. Adm. Code 405	Certification Of Individuals To Perform Industrial Radiography (P-3779;A-12602)		

OFFICE OF BANKS & REAL ESTATE

38 Ill. Adm. Code 307	Acquisition Of Former Main Banking Premises Or Branches Of Eligible Depository Institutions (PR-13024)		
4 Ill. Adm. Code 1100	Americans With Disabilities Act Grievance Procedure (PR-13018)		
38 Ill. Adm. Code 370	Posting Notice Of A Proposed Acquisition (PR-13028)		

POLLUTION CONTROL BOARD

35 Ill. Adm. Code 211	Definitions And General Provisions (P-15925/95;A-7590)		
35 Ill. Adm. Code 304	Effluent Standards (P-12583/95;A-3528) (P-10760)		
35 Ill. Adm. Code 720	Hazardous Waste Management System-General (P-2651;A-10929)		
35 Ill. Adm. Code 721	Identification And Listing Of Hazardous Waste (P-2685;A-10963)		
35 Ill. Adm. Code 725	Interim Status Standards For Owners And Operators Of Hazardous Waste Treatment, Storage, And Disposal Facilities (P-2791;A-11078)		
35 Ill. Adm. Code 728	Land Disposal Restrictions (P-2813;A-11100)		
35 Ill. Adm. Code 607	Operation And Record Keeping (P-6121)		
35 Ill. Adm. Code 218	Organic Material Emission Standards And Limitations For The Chicago Area (P-122)		
35 Ill. Adm. Code 219	Organic Material Emission Standards And Limitations For The Metro East Area (P-155) (P-14267/95;A-3648)		
35 Ill. Adm. Code 309	Permits (P-992;A-5526)		

68 Ill. Adm. Code 1270 Illinois Professional Land Surveyor Act Of 1989 (P-1118;A-5852) (A-5852)
68 Ill. Adm. Code 1283 Marriage And Family Therapy Licensing Act (P-6365;A-12006)
68 Ill. Adm. Code 1285 Medical Practice Act Of 1987 (P-3457;A-7888)
68 Ill. Adm. Code 1295 Naprapathic Practice Act (P-1124;A-5639)
68 Ill. Adm. Code 1320 Optometric Practice Act Of 1987 (P-5430;A-9068)
68 Ill. Adm. Code 1330 Pharmacy Practice Act Of 1987 (P-3041) (W-4828) (P-12692)
68 Ill. Adm. Code 1360 Podiatric Medical Practice Act Of 1987 (P-6655;A-10692)
68 Ill. Adm. Code 1240 Private Detective, Private Alarm And Private Security Act Of 1993 (P-13187;95;A-3191) (R-3344) (F-4078)
68 Ill. Adm. Code 1175 The Barber, Cosmetology, Esthetics, And Nail Technology Act Of 1985 (P-8813)
68 Ill. Adm. Code 1380 The Professional Engineering Practice Act Of 1989 (P-3050;A-6477)

PUBLIC AID, DEPARTMENT OF

89 Ill. Adm. Code 112 Aid To Families With Dependent Children (P-11773;95;A-845) (P-1454;W-3589)
(P-2336;A-7892) (P-3461) (P-14292;95;A-3538)
(P-12759;95;A-5648) (P-5965)
(P-12927;95;A-6018) (P-10363;95;A-6498)
(P-8433) (W-10235) (P-10766) (P-11462)
(P-11560) (P-12326) (E-12495) (P-13138)
89 Ill. Adm. Code 113 Aid To The Aged, Blind Or Disabled (P-13489;95;A-858)
89 Ill. Adm. Code 110 Application Process (P-8926)
89 Ill. Adm. Code 111 Assistance Standards (P-13777;95;A-1191) (P-13031)
89 Ill. Adm. Code 160 Child Support Enforcement (P-13775;95;A-1195) (P-15347;95;A-5659) (M-5730) (O-5747) (P-7288) (P-12567)
89 Ill. Adm. Code 165 Collections And Recoveries (P-13148) (E-13376)
89 Ill. Adm. Code 170 Demonstration Programs (P-8933;95;A-866) (P-15572;95;RC-4074;A-4333)
(P-16025;95;A-4333) (P-11316;95;A-5685)
(P-13789;95;A-5685) (C-5898) (P-5977)
(P-15786;95;A-6029) (P-10381;95;A-6517) (F-9587) (P-10778)
89 Ill. Adm. Code 144 Developmental Disabilities Services (P-4035;A-9072) (P-4526;A-9072)
(P-5434;A-11326) (P-16765;95;A-6916)
(P-7302;A-12465) (E-7426)
89 Ill. Adm. Code 149 Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (P-11573)

35 Ill. Adm. Code 310 Pretreatment Programs (P-1000;A-5533) (P-6126;A-10671)
35 Ill. Adm. Code 611 Primary Drinking Water Standards (P-6133)
2 Ill. Adm. Code 2175 Public Information, Rulemaking And Organization (AR-4796) (A-4798)
35 Ill. Adm. Code 702 RCRA And UIC Permit Programs (P-2924;A-11210)
35 Ill. Adm. Code 703 RCRA Permit Program (P-2940;A-11225)
35 Ill. Adm. Code 817 Requirements For New Steel And Foundry Industry Wastes Landfills (P-11554)
35 Ill. Adm. Code 307 Sewer Discharge Criteria (P-1018;A-5549)
35 Ill. Adm. Code 807 Solid Waste (P-14280;95;A-12459)
35 Ill. Adm. Code 816 Solid Waste Disposal: General Provisions (P-14260;95;A-12614)
35 Ill. Adm. Code 810 Solid Waste Disposal: General Provisions (P-14516;95;A-11985)
35 Ill. Adm. Code 809 Special Waste Hauling (P-13182;95;A-5635)
35 Ill. Adm. Code 722 Standards Applicable To Generators Of Hazardous Waste (P-2951;A-11236)
35 Ill. Adm. Code 811 Standards For New Solid Waste Landfills (P-14286;95;A-12000)
35 Ill. Adm. Code 724 Standards For Owners And Operators Of Hazardous Waste Treatment, Storage, And Disposal Facilities (P-2960;A-11244)
35 Ill. Adm. Code 726 Standards For The Management Of Specific Hazardous Waste And Specific Types Of Hazardous Waste Management Facilities (P-2980;A-11263)
35 Ill. Adm. Code 733 Standards For Universal Waste Management (P-3008;A-11291)
35 Ill. Adm. Code 232 Toxic Air Contaminants (P-11440)
35 Ill. Adm. Code 212 Visible And Particulate Matter Emissions (P-15940;95;A-7605)
35 Ill. Adm. Code 302 Water Quality Standards (P-1445;A-7682) (P-10539)
35 Ill. Adm. Code 303 Water Use Designations And Site Specific Water Quality Standards (P-12589;95;A-3534)
PROFESSIONAL REGULATION, DEPARTMENT OF
68 Ill. Adm. Code 1400 Clinical Psychologist Licensing Act (P-4521;A-7868)
68 Ill. Adm. Code 1470 Clinical Social Work And Social Work Practice Act (P-16015;95;A-4323)
77 Ill. Adm. Code 3100 Controlled Substance Act (P-5425;A-9063)
68 Ill. Adm. Code 1247 Environmental Health Practitioner Licensing Act (A-2400)
68 Ill. Adm. Code 1150 Illinois Architecture Practice Act Of 1989 (P-1737;A-7873)
68 Ill. Adm. Code 1160 Illinois Athletic Trainers Practice Act (A-2408)
68 Ill. Adm. Code 1220 Illinois Dental Practice Act (P-6638)
68 Ill. Adm. Code 1340 Illinois Physical Therapy Act (P-1103;A-10678)

ILLINOIS REGISTER			October 18, 1996	
Vol. 20, Issue #42	CUMULATIVE INDEX		October 18, 1996	
89 Ill. Adm. Code 121	Food Stamps (P-12602/95;A-1593) (PP-2229;O-4075) (P-3791;A-7902) (P-5440;A-11935)			
	(P-5986;A-11935) (P-10263) (P-11581) (P-13151) (E-13381) (P-13515) (E-13665)			
89 Ill. Adm. Code 114	General Assistance (P-4237;A-9970) (E-4445) (O-5748) (R-8680) (F-10751)			
89 Ill. Adm. Code 152	Hospital Reimbursement Changes (P-8932) (E-9272)			
89 Ill. Adm. Code 148	Hospital Services (P-13199/95;A-872) (P-3801;A-7912) (P-8934) (E-9281) (O-12276) (P-12330) (E-12510)			
89 Ill. Adm. Code 153	Long Term Care Reimbursement Changes (P-9383/95;RC-15853/95;RS-4070) (P-8937) (E-9306)			
89 Ill. Adm. Code 120	Medical Assistance Programs (P-1133) (P-8512/95;A-5068) (RC-6588) (P-11472)			
89 Ill. Adm. Code 140	Medical Payment (P-1146;A-6929) (P-12604/95;A-1210) (P-1466;A-6929) (P-2346;A-7922) (P-14530/95;A-4345) (P-15581/95;A-4345) (P-15788/95;A-4345) (P-4531;A-9081) (P-5448;A-11332) (P-16134/95;A-5858) (P-16778/95;A-6929) (P-8939) (E-9312) (P-9810) (P-10286)			
89 Ill. Adm. Code 142	MediPlan Plus (P-13156)			
89 Ill. Adm. Code 104	Practice In Administrative Hearings (P-12604/95;A-1229) (P-15353/95;A-5699) (P-8620) (P-8942)			
89 Ill. Adm. Code 115	Refugee/Entrant/Repatriate Program (P-5466;A-11484)			
89 Ill. Adm. Code 147	Reimbursement For Nursing Costs For Geriatric Facilities (P-16798/95;A-6953)			
89 Ill. Adm. Code 117	Related Program Provisions (P-8942/95;A-877) (P-13816/95;A-5706) (P-10303) (E-10381) (P-11593) (O-12277)			
89 Ill. Adm. Code 102	Rights And Responsibilities (P-12227/95;A-883) (P-7579)			
89 Ill. Adm. Code 146	Specialized Health Care Delivery System (P-14533/95;A-4419)			
PUBLIC HEALTH, DEPARTMENT OF				
77 Ill. Adm. Code 692	AIDS Drug Reimbursement Program (P-7121/95;A-7531) (P-8227) (E-8353) (RC-10748)			
77 Ill. Adm. Code 598	Allied Health Care Professional Assistance Law (P-5938/95;A-6034)			
77 Ill. Adm. Code 665	Child Health Examination Code (P-4894;A-11950)			
77 Ill. Adm. Code 694	College Immunization Code (P-1219/95;A-3584)			
77 Ill. Adm. Code 370	Community Living Facilities Code (P-187;A-9982) (E-456)			
77 Ill. Adm. Code 594	Distribution Of Medical Student Scholarship Payback Funds (P-8229)			
Vol. 20, Issue #42	CUMULATIVE INDEX		October 18, 1996	
77 Ill. Adm. Code 900	Drinking Water Systems Code (P-3812;A-9997) (E-3968)			
77 Ill. Adm. Code 515	Emergency Medical Services And Trauma Center Code (P-13823/95;A-3203) (P-11602)			
77 Ill. Adm. Code 535	Emergency Medical Services Code (PR-11743)			
77 Ill. Adm. Code 590	Family Practice Residency Code (P-8234)			
77 Ill. Adm. Code 750	Food Service Sanitation Code (P533/95;A-2171) (A-3210)			
77 Ill. Adm. Code 682	Hearing Instrument Consumer Protection Code (P-13236)			
77 Ill. Adm. Code 280	Hospice Programs (P-190;A-10003) (E-467) (O-2593)			
77 Ill. Adm. Code 250	Hospital Licensing Requirements (P-192;A-10009) (E-474) (P-10407/95;A-3234)			
77 Ill. Adm. Code 820	Illinois Swimming Pool And Bathing Beach Code (P-1164;A-6971) (RQ-8368)			
77 Ill. Adm. Code 245	Illinois Home Health Agency Code (P-214;A-10033) (E-488) (P-11325/95;A-3273)			
77 Ill. Adm. Code 870	Illinois Mobile Home Tiedown Act (P-9831)			
77 Ill. Adm. Code 540	Illinois Trauma Center Code (PR-11835)			
77 Ill. Adm. Code 340	Illinois Veterans' Homes Code (P-217;A-10045) (E-496) (P-14541/95;A-12013)			
77 Ill. Adm. Code 695	Immunization Code (P-4906;A-11962)			
77 Ill. Adm. Code 350	Intermediate Care For The Developmentally Disabled Facilities Code (P-220;A-10065) (E-512) (P-14561/95;A-12049)			
77 Ill. Adm. Code 475	Laboratory Service Fees (P-6284/95;A-6958)			
77 Ill. Adm. Code 845	Lead Poisoning Prevention Code (P-13282)			
77 Ill. Adm. Code 615	Local Health Protection Grant Rules (P-3814) (E-3974)			
77 Ill. Adm. Code 395	Long-Term Care Assistants And Aides Training Programs Code (P-223;A-10085) (E-529)			
77 Ill. Adm. Code 390	Long-Term Care For Under Age 22 Facilities Code (P-244;A-10106) (E-535) (P-14607/95;A-12101)			
77 Ill. Adm. Code 661	Newborn Metabolic Screening And Treatment Code (RQ-1235) (EC-3590)			
77 Ill. Adm. Code 597	Nursing Education Scholarships (P-4917)			
77 Ill. Adm. Code 905	Private Sewage Disposal Code (A-2431)			
77 Ill. Adm. Code 760	Retail Food Store Sanitation Code (P-2201/95;A-2201) (P-13920/95;A-3307) Rules Of Practice And Procedure In Administrative Hearings (P-8209)			
77 Ill. Adm. Code 100	Sheltered Care Facilities Code (P-247;A-10125) (E-552) (P-14660/95;A-12160)			
77 Ill. Adm. Code 330	Skilled Nursing And Intermediate Care Facilities Code (P-250;A-10142) (E-567) (P-14703/95;A-12208)			
77 Ill. Adm. Code 795	Training Facilities Code (A-2422)			
77 Ill. Adm. Code 542	Trauma Nurse Specialist Course Code (PR-11886)			

REVENUE, DEPARTMENT OF	
2 Ill. Adm. Code 1201	Freedom Of Information (A-7949)
86 Ill. Adm. Code 800	General Rule For All Taxes (P-5038) (O-9387) (A-13061) (R-13098)
86 Ill. Adm. Code 480	Hotel Operators' Occupation Tax Act (P-11903) (P-13035)
86 Ill. Adm. Code 100	Income Tax (P-1489;A-6981) (E-1616)
	(P-6004;A-10706) (P-8271;A-13365) (P-9488) (W-9583) (P-9840) (P-12575)
86 Ill. Adm. Code 500	Motor Fuel Tax (P-5311;A-10168)
86 Ill. Adm. Code 750	Payment Of Taxes By Electronic Funds Transfer (P-5042;A-9111)
86 Ill. Adm. Code 200	Practice And Procedure For Hearings Before The Illinois Department Of Revenue (P-7143;95;A-888)
86 Ill. Adm. Code 110	Property Tax Code (P-2394;95;O-4076) (W-5895) (P-7305;A-13601) (P-7509) (E-7540)
86 Ill. Adm. Code 130	Retailers' Occupation Tax (P-14336;95;A-4428) (P-5047;A-9116) (P-14756;95;A-5366) (P-5470;A-9116) (P-5774;A-9116)
86 Ill. Adm. Code 690	(P-16483;95;A-6991) (P-7773) (P-8426) (P-8961)
86 Ill. Adm. Code 691	Salem Civic Center Retailers' Occupation Tax (P-11910)
86 Ill. Adm. Code 692	Salem Civic Center Service Occupation Tax (P-11918)
86 Ill. Adm. Code 140	Salem Civic Center Use Tax (P-11923)
86 Ill. Adm. Code 160	Service Use Tax (AP-16507;95;-7015) (P-8644)
86 Ill. Adm. Code 670	Special County Retailers' Occupation Tax For Public Safety (P-8282) (A-13065)
86 Ill. Adm. Code 680	Special County Service Occupation Tax For Public Safety (P-8290) (A-13073)
86 Ill. Adm. Code 470	The Gas Revenue Tax Act (P-696) (P-8295) (W-8364)
86 Ill. Adm. Code 660	Tobacco Products Tax Act Of 1995 (P-5317;A-10174)
86 Ill. Adm. Code 700	Uniform Penalty And Interest Act (P-8981)
86 Ill. Adm. Code 150	Use Tax (P-16511;95;A-7019) (P-8649)
SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF	
68 Ill. Adm. Code 1455	Real Estate Appraiser Certification (P-3061; A-6488)
68 Ill. Adm. Code 1450	Real Estate License Act Of 1983 (P-2330; A-6492)
38 Ill. Adm. Code 1050	Residential Mortgage License Act Of 1987 (P-14348;95;A-388)
SECRETARY OF STATE	
14 Ill. Adm. Code 150	Business Corporation Act (P-1750;A-7026)

REHABILITATION SERVICES, DEPARTMENT OF	
89 Ill. Adm. Code 755	Admission, Suspension, Expulsion And Discharge Procedures (P-8955)
89 Ill. Adm. Code 515	Advisory Councils (P-3474;A-10162)
89 Ill. Adm. Code 510	Appeals And Hearings (P-3480;A-8505) (RQ-7070)
89 Ill. Adm. Code 553	Assessment For Determining Eligibility And Rehabilitation Needs (P-10305) (E-10385) (P-11894) (E-11974)
89 Ill. Adm. Code 885	Centers For Independent Living (PR-4922;AR-12260)
89 Ill. Adm. Code 886	Centers Of Independent Living (P-4561;A-12262)
89 Ill. Adm. Code 679	Determination Of Need (DON) And Resulting Service Cost Maximums (SCMs) (P-16803;95;A-6303)
89 Ill. Adm. Code 682	Eligibility (P-5296) (P-15362;95;A-6307)
89 Ill. Adm. Code 787	Illinois Children's School And Rehabilitation Center's Respite Program (PR-5300;AR-12477)
89 Ill. Adm. Code 572	Individualized Written Rehabilitation Program (IWRP) (P-16807;95;A-6311)
89 Ill. Adm. Code 830	Non-Academic Programs And Policies (P-8258)
89 Ill. Adm. Code 681	Prescreening (P-3502;A-10366)
89 Ill. Adm. Code 676	Program Description (P-16811;95;A-6315)
89 Ill. Adm. Code 640	Projects With Industry (P-2374;A-10371)
89 Ill. Adm. Code 686	Provider Requirements, Type Services, And Rates Of Payment (P-3065;A-12479)
89 Ill. Adm. Code 546	Public Use Of DORS Facilities (P-8262)
89 Ill. Adm. Code 827	Rules Of Conduct (P-8266) (W-11488)
89 Ill. Adm. Code 590	Services (P-3071;A-10375) (P-15820;95;A-6319) (P-15366;95;A-6523) (P-10307) (P-12335)
89 Ill. Adm. Code 895	Total Life Planning Program (PR-15601;95;AR-6327)
89 Ill. Adm. Code 880	Voter Registration Program (P-13541;95;A-3330)

92 Ill. Adm. Code 1040	Cancellation, Revocation Or Suspension Of Licenses Or Permits (A-2558)
92 Ill. Adm. Code 1010	Certificates Of Title, Registration Of Vehicles (P-5481) (P-6372;A-11349) (C-7464)
92 Ill. Adm. Code 1060	Commercial Driver Training Schools (P-12365/95;A-3861)
92 Ill. Adm. Code 1020	Dealers, Wreckers, Transporters And Rebuilders (P-5488;A-11356) (C-7465)
14 Ill. Adm. Code 160	General Not For Profit Corporations (P-1768;A-7045)
92 Ill. Adm. Code 1070	Illinois Safety Responsibility Law (P-13543/95;A-398) (P-2378;A-7956)
92 Ill. Adm. Code 1030	Issuance Of Licenses (P-14395/95;A-3891) (E-8358) (O-10749) (W-12273)
14 Ill. Adm. Code 178	Limited Liability Company Act (P-1773;A-7050)
23 Ill. Adm. Code 3040	Literacy Grant Program (P-16815/95;A-5889)
2 Ill. Adm. Code 560	Lobbyist Registration And Reports (P-12701)
92 Ill. Adm. Code 1001	Procedures And Standards (P-1491;A-8328) (E-1626) (E-9355) (P-10552)
23 Ill. Adm. Code 3060	Public Library Construction Grants (P-5490) (A-13078)
14 Ill. Adm. Code 135	Regulations Under The Business Opportunity Sales Law Of 1995 (E-584) (P-4239;A-7963)
14 Ill. Adm. Code 140	Regulations Under The Illinois Business Brokers Act Of 1995 (E-603) (P-4260;A-7984)
14 Ill. Adm. Code 145	Regulations Under The Illinois Loan Brokers Act Of 1995 (E-629) (P-4287;A-8012)
14 Ill. Adm. Code 130	Regulations Under The Illinois Securities Law Of 1953 (P-9855)
14 Ill. Adm. Code 170	Revised Uniform Limited Partnership Act (P-1779;A-7056) (RC-6589)
92 Ill. Adm. Code 1002	Sale Of Information (P-12341)
2 Ill. Adm. Code 565	Statements Of Economic Interest (P-7586;A-12485)
23 Ill. Adm. Code 3030	The Illinois Library System Act (P-14412/95;A-3909)
14 Ill. Adm. Code 180	Uniform Commercial Code (P-1787;A-7064)
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS	
80 Ill. Adm. Code 1540	The Administration And Operation Of The State Employees' Retirement System Of Illinois (P-2385;A-8033)
STATE FIRE MARSHALL, OFFICE OF	
41 Ill. Adm. Code 100	Fire Prevention And Safety (A-13086)
STATE POLICE MERIT BOARD, DEPARTMENT OF	
80 Ill. Adm. Code 150	Procedures Of The Department Of The State Police Merit Board (P-13834/95;A-404) (E-8062) (P-8990;A-13613) (P-9512)
STATE POLICE, DEPARTMENT OF	
20 Ill. Adm. Code 1282	Child Sex Offender Community Notification Law (P-4043;A-8037) (RC-7693)
20 Ill. Adm. Code 1265	Electronic Transmission Of Fingerprints (P-3077)
20 Ill. Adm. Code 1275	Gang Crime Witness Protection Act (P-10313) (E-10390)
20 Ill. Adm. Code 1280	Sex Offender Registration Act (P-253;A-8045) (E-640)
STATE UNIVERSITIES CIVIL SERVICE SYSTEM	
80 Ill. Adm. Code 250	State Universities Civil Service System (P-16518/95;A-4440)
STATE UNIVERSITIES RETIREMENT SYSTEM	
80 Ill. Adm. Code 1600	University Retirement (P-12761)
STUDENT ASSISTANCE COMMISSION, ILLINOIS	
23 Ill. Adm. Code 2721	Alternative Loan Program (P-7793) (E-8066)
23 Ill. Adm. Code 2771	College Savings Bond Bonus Incentive Grant (BIG) Program (P-1791;A-9136)
23 Ill. Adm. Code 2764	David A. Debolt Teacher Shortage Scholarship Program (P-1796;A-9141)
23 Ill. Adm. Code 2720	Federal Family Education Loan Program (FFELP) (P-1802;A-9147)
23 Ill. Adm. Code 2700	General Provisions (P-1824;A-9170)
23 Ill. Adm. Code 2731	Grant Program For Dependents Of Correctional Officers (P-4572;A-10183)
23 Ill. Adm. Code 2736	Illinois Incentive For Access (IIA) Program (P-10315) (E-10397)
23 Ill. Adm. Code 2730	Illinois National Guard Grant Program (P-1841;A-9187)
23 Ill. Adm. Code 2765	Illinois Special Education Teacher Tuition Waiver Program (P-1848;A-9194)
23 Ill. Adm. Code 2733	Illinois Veteran Grant (IVG) Program (P-1854) (A-9200)
23 Ill. Adm. Code 2790	Limitation, Suspension And Termination Proceedings (P-1860;A-9206)
23 Ill. Adm. Code 2761	Merit Recognition Scholarship (MRS) Program (P-1869;A-9215)
23 Ill. Adm. Code 2763	Minority Teachers Of Illinois (MTI) Scholarship Program (P-1875;A-9221)
23 Ill. Adm. Code 2735	Monetary Award Program (MAP) (P-1881;A-9227)
23 Ill. Adm. Code 2762	Paul Douglas Teacher Scholarship Program (P-1892;A-9238)
23 Ill. Adm. Code 2732	Police Officer/Fire Officer Survivor Grant Program (P-4580;A-10191)
23 Ill. Adm. Code 2755	Robert C. Byrd Honors Scholarship Program (P-1898;A-9244)
23 Ill. Adm. Code 2760	State Scholar Program (P-1905;A-9251)

92 Ill. Adm. Code 1040	Cancellation, Revocation Or Suspension Of Licenses Or Permits (A-2558)
92 Ill. Adm. Code 1010	Certificates Of Title, Registration Of Vehicles (P-5481) (P-6372;A-11349) (C-7464)
92 Ill. Adm. Code 1060	Commercial Driver Training Schools (P-12365/95;A-3861)
92 Ill. Adm. Code 1020	Dealers, Wreckers, Transporters And Rebuilders (P-5488;A-11356) (C-7465)
14 Ill. Adm. Code 160	General Not For Profit Corporations (P-1768;A-7045)
92 Ill. Adm. Code 1070	Illinois Safety Responsibility Law (P-13543/95;A-398) (P-2378;A-7956)
92 Ill. Adm. Code 1030	Issuance Of Licenses (P-14395/95;A-3891) (E-8358) (O-10749) (W-12273)
14 Ill. Adm. Code 178	Limited Liability Company Act (P-1773;A-7050)
23 Ill. Adm. Code 3040	Literacy Grant Program (P-16815/95;A-5889)
2 Ill. Adm. Code 560	Lobbyist Registration And Reports (P-12701)
92 Ill. Adm. Code 1001	Procedures And Standards (P-1491;A-8328) (E-1626) (E-9355) (P-10552)
23 Ill. Adm. Code 3060	Public Library Construction Grants (P-5490) (A-13078)
14 Ill. Adm. Code 135	Regulations Under The Business Opportunity Sales Law Of 1995 (E-584) (P-4239;A-7963)
14 Ill. Adm. Code 140	Regulations Under The Illinois Business Brokers Act Of 1995 (E-603) (P-4260;A-7984)
14 Ill. Adm. Code 145	Regulations Under The Illinois Loan Brokers Act Of 1995 (E-629) (P-4287;A-8012)
14 Ill. Adm. Code 130	Regulations Under The Illinois Securities Law Of 1953 (P-9855)
14 Ill. Adm. Code 170	Revised Uniform Limited Partnership Act (P-1779;A-7056) (RC-6589)
92 Ill. Adm. Code 1002	Sale Of Information (P-12341)
2 Ill. Adm. Code 565	Statements Of Economic Interest (P-7586;A-12485)
23 Ill. Adm. Code 3030	The Illinois Library System Act (P-14412/95;A-3909)
14 Ill. Adm. Code 180	Uniform Commercial Code (P-1787;A-7064)
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS	
80 Ill. Adm. Code 1540	The Administration And Operation Of The State Employees' Retirement System Of Illinois (P-2385;A-8033)
STATE FIRE MARSHALL, OFFICE OF	
41 Ill. Adm. Code 100	Fire Prevention And Safety (A-13086)
STATE POLICE MERIT BOARD, DEPARTMENT OF	
80 Ill. Adm. Code 150	Procedures Of The Department Of The State Police Merit Board (P-13834/95;A-404) (E-8062) (P-8990;A-13613) (P-9512)

ILLINOIS REGISTER			ILLINOIS REGISTER	
CUMULATIVE INDEX			CUMULATIVE INDEX	
Vol. 20, Issue #42		October 18, 1996	Vol. 20, Issue #42	October 18, 1996
AGRICULTURE, DEPARTMENT OF			ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF	
8 Ill. Adm. Code 110; Animal Diagnostic Laboratory Act		10721	77 Ill. Adm. Code 2060; Alcoholism And Substance Abuse Treatment And Intervention Licenses	7460
8 Ill. Adm. Code 75; Bovine Brucellosis		10722	77 Ill. Adm. Code 2057; Beverage Alcohol Sellers And Servers Education And Training (BASSET) Programs	7461
8 Ill. Adm. Code 85; Diseased Animals		10723	77 Ill. Adm. Code 2056; Driving Under The Influence Programs (Repeal of)	7462
8 Ill. Adm. Code 116; Equine Infectious Anemia Control		10724	77 Ill. Adm. Code 2058; Licensure Of Alcoholism And Substance Abuse Treatment, Intervention And Research Programs (Repeal of)	7463
8 Ill. Adm. Code 281; Grain Code		1639	CARNIVAL-AMUSEMENT SAFETY BOARD	
8 Ill. Adm. Code 115; Illinois Pseudorabies Control Act		10725	56 Ill. Adm. Code 6000; Carnival And Amusement Rides Safety Act	8699
8 Ill. Adm. Code 40; Livestock Auction Markets		10726	CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
68 Ill. Adm. Code 610; Livestock Dealer Licensing		10727	89 Ill. Adm. Code 302; Services Delivered By The Department	1241
8 Ill. Adm. Code 105; Swine Disease Control And Eradication Act		10728	89 Ill. Adm. Code 312; Transfer Of Violent Juvenile Offenders To The Department Of Corrections	1242
ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF			COMPTROLLER, OFFICE OF THE	
77 Ill. Adm. Code 2060; Alcoholism And Substance Abuse Treatment And Intervention Licenses		7460	38 Ill. Adm. Code 610; Illinois Funeral Or Burial Act	5736
77 Ill. Adm. Code 2057; Beverage Alcohol Sellers And Servers Education And Training (BASSET) Programs		7461	CORRECTIONS, DEPARTMENT OF	
77 Ill. Adm. Code 2056; Driving Under The Influence Programs (Repeal of)		7462	20 Ill. Adm. Code 801; Secure Residential Youth Care Facilities	2242
77 Ill. Adm. Code 2058; Licensure Of Alcoholism And Substance Abuse Treatment, Intervention And Research Programs (Repeal of)		7463	ENVIRONMENTAL PROTECTION AGENCY	
CARNIVAL-AMUSEMENT SAFETY BOARD			35 Ill. Adm. Code 276; Procedures To Be Followed In The Performance Of Annual Inspections Of Motor Vehicle Exhaust Emissions	4837
56 Ill. Adm. Code 6000; Carnival And Amusement Rides Safety Act		8699	35 Ill. Adm. Code 276; Procedures To Be Followed In The Performance Of Annual Inspections Of Motor Vehicle Exhaust Emissions	5100
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF			LABOR, DEPARTMENT OF	
89 Ill. Adm. Code 302; Services Delivered By The Department		1241	56 Ill. Adm. Code 210; Minimum Wage Law	11421
89 Ill. Adm. Code 312; Transfer Of Violent Juvenile Offenders To The Department Of Corrections		1242	56 Ill. Adm. Code 355; Personnel Records Review Act	5101
COMPTROLLER, OFFICE OF THE				
38 Ill. Adm. Code 610; Illinois Funeral Or Burial Act		5736		
CORRECTIONS, DEPARTMENT OF				
20 Ill. Adm. Code 801; Secure Residential Youth Care Facilities		2242		
ENVIRONMENTAL PROTECTION AGENCY				
35 Ill. Adm. Code 276; Procedures To Be Followed In The Performance Of Annual Inspections Of Motor Vehicle Exhaust Emissions		4837		
35 Ill. Adm. Code 276; Procedures To Be Followed In The Performance Of Annual Inspections Of Motor Vehicle Exhaust Emissions		5100		
LABOR, DEPARTMENT OF				
56 Ill. Adm. Code 210; Minimum Wage Law		11421		
56 Ill. Adm. Code 355; Personnel Records Review Act		5101		

ILLINOIS REGISTER			ILLINOIS REGISTER	
CUMULATIVE INDEX			CUMULATIVE INDEX	
Vol. 20, Issue #42		October 18, 1996	Vol. 20, Issue #42	October 18, 1996
23 Ill. Adm. Code 2770	Student To Student (STS) Program Of Matching Grants (P-1914;A-9260)		TEACHERS' RETIREMENT SYSTEM, ILLINOIS	
80 Ill. Adm. Code 1650	The Administration And Operation Of The Teachers' Retirement System (P-13840/95;A-3118)		TOLL HIGHWAY AUTHORITY, ILLINOIS STATE	
92 Ill. Adm. Code 2520	State Toll Highway Rules (P-4589;A-10200)		TRANSPORTATION, DEPARTMENT OF	
TEACHERS' RETIREMENT SYSTEM, ILLINOIS			92 Ill. Adm. Code 177	Carriage By Public Highway (P-16881/95;A-6531)
80 Ill. Adm. Code 1650	The Administration And Operation Of The Teachers' Retirement System (P-13840/95;A-3118)		92 Ill. Adm. Code 180	Continuing Qualification And Maintenance Of Packaging (P-16885/95;A-6535)
TOLL HIGHWAY AUTHORITY, ILLINOIS STATE			92 Ill. Adm. Code 10	Disadvantaged Business Enterprises (P-7367;A-12621)
92 Ill. Adm. Code 2520	State Toll Highway Rules (P-4589;A-10200)		92 Ill. Adm. Code 397	Driving And Parking (P-10784)
TRANSPORTATION, DEPARTMENT OF			92 Ill. Adm. Code 392	Driving Of Motor Vehicles (P-10787)
92 Ill. Adm. Code 177	Carriage By Public Highway (P-16881/95;A-6531)		92 Ill. Adm. Code 600	Employee Commute Options (PR-10583)
92 Ill. Adm. Code 180	Continuing Qualification And Maintenance Of Packaging (P-16885/95;A-6535)		92 Ill. Adm. Code 171	General Information, Regulations And Definitions (P-16890/95;A-6539)
92 Ill. Adm. Code 10	Disadvantaged Business Enterprises (P-7367;A-12621)		92 Ill. Adm. Code 172	Hazardous Materials Table And Hazardous Materials Communications (P-16900/95;A-6549)
92 Ill. Adm. Code 397	Driving And Parking (P-10784)		92 Ill. Adm. Code 395	Hours Of Service Of Drivers (P-10790)
92 Ill. Adm. Code 392	Driving Of Motor Vehicles (P-10787)		92 Ill. Adm. Code 396	Inspection, Repair And Maintenance (P-10796)
92 Ill. Adm. Code 600	Employee Commute Options (PR-10583)		92 Ill. Adm. Code 390	Motor Carrier Safety Regulations: General (P-10800)
92 Ill. Adm. Code 171	General Information, Regulations And Definitions (P-16890/95;A-6539)		92 Ill. Adm. Code 554	Oversize And Overweight Permit Movements On State Highways (A-2565)
92 Ill. Adm. Code 172	Hazardous Materials Table And Hazardous Materials Communications (P-16900/95;A-6549)		92 Ill. Adm. Code 393	Parts And Accessories Necessary For Safe Operation (P-10817)
92 Ill. Adm. Code 395	Hours Of Service Of Drivers (P-10790)		92 Ill. Adm. Code 107	Procedures (P-16905/95;A-6554)
92 Ill. Adm. Code 396	Inspection, Repair And Maintenance (P-10796)		92 Ill. Adm. Code 391	Qualification Of Drivers (P-10820)
92 Ill. Adm. Code 390	Motor Carrier Safety Regulations: General (P-10800)		92 Ill. Adm. Code 556	Rules On Transporting Pupils Where Walking Constitutes A Serious Safety Hazard (P-6660;A-12626)
92 Ill. Adm. Code 554	Oversize And Overweight Permit Movements On State Highways (A-2565)		92 Ill. Adm. Code 173	Shippers General Requirements For Shipments And Packagings (P-16912/95;A-6560)
92 Ill. Adm. Code 393	Parts And Accessories Necessary For Safe Operation (P-10817)		92 Ill. Adm. Code 178	Specifications For Packagings (P-16918/95;A-6566)
92 Ill. Adm. Code 107	Procedures (P-16905/95;A-6554)		92 Ill. Adm. Code 179	Specifications For Tank Cars (P-16929/95;A-6577)
92 Ill. Adm. Code 391	Qualification Of Drivers (P-10820)		UNIVERSITY OF ILLINOIS, THE BOARD OF TRUSTEES OF	
92 Ill. Adm. Code 556	Rules On Transporting Pupils Where Walking Constitutes A Serious Safety Hazard (P-6660;A-12626)		2 Ill. Adm. Code 5155	Division Of Services For Crippled Children: Public Information, Rulemaking And Organization (A-3918)
92 Ill. Adm. Code 173	Shippers General Requirements For Shipments And Packagings (P-16912/95;A-6560)		NOTICE OF PUBLIC HEARINGS	
92 Ill. Adm. Code 178	Specifications For Packagings (P-16918/95;A-6566)			
92 Ill. Adm. Code 179	Specifications For Tank Cars (P-16929/95;A-6577)			
UNIVERSITY OF ILLINOIS, THE BOARD OF TRUSTEES OF				
2 Ill. Adm. Code 5155	Division Of Services For Crippled Children: Public Information, Rulemaking And Organization (A-3918)			

Vol. 20, Issue #42	CUMULATIVE INDEX	Vol. 20, Issue #42	CUMULATIVE INDEX
56 Ill. Adm. Code 220; Six Day Week Law	2243	Unclaimed Property - Listing Of Last Known Addresses	11376
		Unclaimed Property Owners	3358

Vol. 20, Issue #42	CUMULATIVE INDEX	Vol. 20, Issue #42	CUMULATIVE INDEX
PROFESSIONAL REGULATION, DEPARTMENT OF		LABOR, DEPARTMENT OF	
68 Ill. Adm. Code 1175; The Barber, Cosmetology, Esthetics, And Nail Technology Act Of 1985	12804	List Of Contractors Prohibited From An Award Of A Contract Or A Subcontract For Public Work Projects	13099
		Pursuant To Section 9 Of The Prevailing Wage Act, 820 ILCS 130/9	1237

Vol. 20, Issue #42	CUMULATIVE INDEX	Vol. 20, Issue #42	CUMULATIVE INDEX
PUBLIC HEALTH, DEPARTMENT OF		LOTTERY, DEPARTMENT OF	
77 Ill. Adm. Code 515; Emergency Medical Services And Trauma Center Code	4473	Listing Of Game-Specific Materials - 1995	1239

Vol. 20, Issue #42	CUMULATIVE INDEX	Vol. 20, Issue #42	CUMULATIVE INDEX
REVENUE, DEPARTMENT OF		POLLUTION CONTROL BOARD	
86 Ill. Adm. Code 100; Income Tax	646	Notice Pursuant To 415 ILCS 5/28.1(d)(3)	11415
		Notice Pursuant To 415 ILCS 5/7.2(b)	3444
		Notice Pursuant To 415 ILCS 5/7.2(b)	11414

Vol. 20, Issue #42	CUMULATIVE INDEX	Vol. 20, Issue #42	CUMULATIVE INDEX
PUBLIC INFORMATION		REVENUE, DEPARTMENT OF	
AFFORDABLE HOUSING PROGRAM, ILLINOIS		Index Of Letter Rulings (1995-4th Quarter)(Income Tax)	3984
Annual Plan Of The Advisory Commission	647	Index Of Letter Rulings (1996 - 1st Quarter) (Income Tax)	8682
		Index Of Letter Rulings (1996-First Quarter) (ROT)	8075
ATTORNEY GENERAL		Private Letter Rulings	12646
Proposed Amendment To Consent Decree For Remedial Investigation And Feasibility Study For The Beloit Corporation Facility	9388	Private Letter Rulings	12806
		The Uniform Penalty And Interest Act	8698
BANKS AND REAL ESTATE, OFFICE OF		1995 Fourth Quarter Sunshine Index	3592
Notice Of Public Meeting	8557		
Notice Of Public Meeting	12529		
Notice Of Temporary Suspension Of License Issued Under The Residential Mortgage License Act Of 1987	9584		
		REGULATORY AGENCY	
BANKS AND TRUST COMPANIES, COMMISSIONER OF		AGING, DEPARTMENT ON (et al)	9588
Notice Of Temporary Suspension Of License Issued Under The Residential Mortgage Act Of 1987	8366	AGRICULTURE, DEPARTMENT OF	1243
		AGRICULTURE, DEPARTMENT OF	8558
CARNIVAL-AMUSEMENT RIDES SAFETY ACT		BANKS AND REAL ESTATE, OFFICE OF (et al)	10417
Carnival And Amusement Rides Safety Act	11489	BANKS AND TRUST COMPANIES, COMMISSIONER OF	3446
		CAPITAL DEVELOPMENT BOARD (et al)	9398
ENVIRONMENTAL PROTECTION AGENCY		CARNIVAL-AMUSEMENT SAFETY BOARD	8700
Listing Of Derived Water Quality	7549	CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF (et al.)	1640
Listing Of Derived Water Quality Criteria	649	COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF (et al.)	1643
Listing Of Derived Water Quality Criteria	4829	COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF (et al)	9403
Listing Of Derived Water Quality Criteria	12278	COMMERCE COMMISSION, ILLINOIS	1246
Notice Of Proposed Settlement-People V.A.B. Dick Co., et al	10416	COMMERCE COMMISSION, ILLINOIS (et al)	9596
Notice Of Proposed Settlement-People Vs. City Of Quincy, Et Al.	5098		
ENVIRONMENTAL PROTECTION AGENCY, ILLINOIS			
Notice Of Proposed Settlement People V. The Grow Group	12805		
FINANCIAL INSTITUTIONS, DEPARTMENT OF			

ILLINOIS REGISTER		
Vol. 20, Issue #42	CUMULATIVE INDEX	October 18, 1996
PROFESSIONAL REGULATION, DEPARTMENT OF (et al.)		1668
PROFESSIONAL REGULATION, DEPARTMENT OF (et al.)		9673
PUBLIC AID, DEPARTMENT OF (et al.)		2608
PUBLIC AID, DEPARTMENT OF (et al.)		10730
PUBLIC HEALTH, DEPARTMENT OF (et al.)		4475
RACING BOARD, ILLINOIS (et al.)		1680
REHABILITATION SERVICES, DEPARTMENT OF (et al.)		1683
REHABILITATION SERVICES, DEPARTMENT OF (et al.)		10421
REVENUE, DEPARTMENT OF		5908
REVENUE, DEPARTMENT OF (et al.)		9680
SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF (et al.)		2603
SECRETARY OF STATE (et al.)		2253
SECRETARY OF STATE (et al.)		9411
STATE POLICE, DEPARTMENT OF		1342
STATE POLICE, DEPARTMENT OF		9688
STUDENT ASSISTANCE COMMISSION, ILLINOIS		1348
TEACHERS' RETIREMENT SYSTEMS OF THE STATE OF ILLINOIS		2267
TEACHERS' RETIREMENT SYSTEMS OF THE STATE OF ILLINOIS		9696
TRANSPORTATION, DEPARTMENT OF (et al.)		1696
TRANSPORTATION, DEPARTMENT OF (et al.)		9697

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA	
Agenda for Meeting of January 23, 1996	1362
Agenda for Meeting of February 20, 1996	3450
Agenda for Meeting of March 26, 1996	4838
Agenda for Meeting of April 23, 1996	5917
Agenda for Meeting of May 21, 1996	7077
Agenda for Meeting of June 25, 1996	8372
Agenda for Meeting of July 23, 1996	9703
Agenda for Meeting of August 20, 1996	11422
Agenda for Meeting of Sept. 17, 1996	12533
Agenda for Meeting of October 15, 1996	13437

SECOND NOTICES RECEIVED

28

ILLINOIS REGISTER		
Vol. 20, Issue #42	CUMULATIVE INDEX	October 18, 1996
COMPTROLLER MERIT COMMISSION		1647
COMPTROLLER, MERIT COMMISSION		8704
CORRECTIONS, DEPARTMENT OF		1260
CORRECTIONS, DEPARTMENT OF (et al.)		10236
CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS		1267
CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS		10240
EDUCATION, STATE BOARD OF		1268
EDUCATION, STATE BOARD OF		9407
EMPLOYMENT SECURITY, DEPARTMENT OF (et al.)		11496
ENVIRONMENTAL PROTECTION AGENCY (et al.)		9601
FINANCIAL INSTITUTIONS, DEPARTMENT OF (et al.)		1648
GAMING BOARD, ILLINOIS		10729
HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS (et al.)		12829
HEALTH FACILITIES PLANNING BOARD		4000
HEALTH FACILITIES PLANNING BOARD		8705
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS (et al.)		1650
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS (et al.)		9408
HUMAN RIGHTS, DEPARTMENT OF (et al.)		2248
INSURANCE, DEPARTMENT OF (et al.)		1654
INSURANCE, DEPARTMENT OF		8710
LABOR, DEPARTMENT OF		8717
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF (et al.)		1657
MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF (et al.)		9409
NATURAL RESOURCES, DEPARTMENT OF		1247
NATURAL RESOURCES, DEPARTMENT OF (et al.)		2251
NUCLEAR SAFETY, DEPARTMENT OF		1275
NUCLEAR SAFETY, DEPARTMENT OF		8726
POLLUTION CONTROL BOARD		1286
POLLUTION CONTROL BOARD (et al.)		1663
POLLUTION CONTROL BOARD (et al.)		9606

27

Vol. 20, Issue #42	ILLINOIS REGISTER CUMULATIVE INDEX	October 18, 1996
96-020 Cystic Fibrosis Awareness Week		3615
96-021 Denim Day		3615
96-022 Dr. Martin Luther King Day		3616
96-023 Ameritech Day		3616
96-024 Apprenticeship Week		3617
96-025 Flour Daniel Day		3617
96-026 Nutrition Month		3618
96-027 Central Baptist Home Congratulated on Its 100th Anniversary		3618
96-028 Chicago Historical Society Last Best Hope on Earth Day		3618
96-029 Girls and Women in Sports Day		3619
96-030 Music Education Day at the Capitol		3619
96-031 Prospect Heights Days		3620
96-032 Armenian Youth Day		3620
96-033 Bill Busch Day		3621
96-034 Frank J. Nustra Day		3621
96-035 Kiwanis Week		3622
96-036 Black Data Processing Associates Day		3622
96-037 Catholic Schools Week/National Appreciation Day for Catholic Schools		3623
96-038 Daniel Barenboim Day		3623
96-039 Engineers Week		3623
96-040 Literacy Appreciation Day		3624
96-041 Student Financial Aid and Admissions Awareness Month		3624
96-042 Woodruff High School Music Department Commended		3625
96-043 Jackie Chan Day		3625
96-044 Chicago Metropolitan Bowling Association Month		3626
96-045 Child Passenger Safety Month		3626
96-046 Critical Care Nurse Week		3627
96-047 Midwest Hardware Association Day		3627
96-048 Village of Slegger Commended on Its 100th Anniversary		3627
96-049 We Remember, We Care for Indigent Persons Day		3628
96-050 Illini Hockey Club Day		4080
96-051 African American History Month		4080
96-052 Evelina B. Martinez Day		4081
96-053 Illinois Association of Junior High Student Councils Week		4081
96-054 Illinois Women's Bowling Association Week		4081
96-055 Land Surveyors' Month		4082
96-056 Aurora Lamplights Chorus Commended		4082
96-057 Industrial Distribution Day		4083
96-058 LULAC Week		4083
96-059 Four Chaplains Sunday		4084
96-060 School Psychologists Association Week		4084
96-061 Blanche Wade Southe Day		4085
96-062 Block-Kids of Illinois Month		4085
96-063 FFA Week		4085

Vol. 20, Issue #42	ILLINOIS REGISTER CUMULATIVE INDEX	October 18, 1996
657, 930, 1368, 1701, 2268, 2626, 3455, 3614, 4005, 4079, 4476, 4845, 5102, 5398, 5749, 5925, 6039, 6349, 6600, 7085, 7466, 7563, 7694, 8101, 8379, 8577, 8733, 9412, 9709, 10241, 10434, 10752, 11427, 11503, 12286, 12531, 12662, 12830, 13100, 13444, 13670		
EXECUTIVE ORDERS AND PROCLAMATIONS		
EXECUTIVE ORDERS		
95-4 Executive Order Creating the Governor's Commission on Gangs in Illinois		932
95-5 Illinois State Employees in Active Duty for Bosnia-Herzegovina Peace-Keeping Efforts		934
96-1 Office of Banks and Trust		6040
96-2 Illinois Residents Called To Serve In Bosnia-Herzegovina		6043
96-3 Department of Human Resources		6044
96-4 An Executive Order Naming The Department Of Transportation's Administrative Office Bldg.		8576
96-5 Transfer of Certain Non-Statutory Powers To The Department of Human Services		10242
96-6 Revocation of Executive Order Number 2(1994) and Amendment to Executive Order Number 3 (1995)		12287
PROCLAMATIONS		
95-587 Helen Wojcik Day		1369
95-588 NU City Youth Choir Day		1369
95-589 Phil Longcor Commended		1370
95-590 Toys for Tots Day		1370
96-001 Reverend Leroy Conkrite II Day		2269
96-002 Orveta M. Robinson Day		2269
96-003 Pastor Joseph T. Ledwell Day		2270
96-004 William R. Norwood Day		2270
96-005 Mahomet-Seymour Marching Bulldogs Day		2271
96-006 A Day for Angels: Angelman Syndrome Awareness Day		2271
96-007 Chicago Veterinary Medical Association 100th Anniversary Week		2272
96-008 Optians Month		2272
96-009 Chicago R.E.A.C.H.		2272
96-010 Project Red Ribbon		2273
96-011 Arlena G. Brown Month		2273
96-012 Young Professionals Week		2274
96-013 Salem Children's Home Month		2274
96-014 Patrick Arbor Day		2274
96-015 Homewood Fire Department Day		2275
96-016 University of Illinois College of Medicine at Rockford Commended		2275
96-017 Earthquake Preparedness Week		2276
96-018 Gunner Sergeant Mike B. Ruffner Day		2276
96-019 Jerome Ritchey Day		3615

Vol. 20, Issue #42	ILLINOIS REGISTER CUMULATIVE INDEX	October 18, 1996
96-064	Future Business Leaders of America-Phi Beta Lambda Week	4086
96-065	Lithuanian Independence Day	4086
96-066	NAACP Day	4086
96-067	Natural Resources Stewardship Month	4087
96-068	Red Cloud Athletic Fund Day	4087
96-069	Lester H. McKeever, Jr. Day	4088
96-070	Estonian Day	4088
96-071	Healthy Choices for the 90s Week/Medical Assistants Week	4089
96-072	McHenry County Housing Authority/90 Day Referendum Notice	4089
96-072	McHenry County Housing Authority/90 Day Referendum Notice (Revised)	4477
96-073	World Day for Children	4090
96-074	Helen Lenahan Commended	4478
96-075	Tom Short Day	4479
96-076	Dr. C. C. Owens Day	4480
96-077	Holy Family Medical Center Day	4486
96-078	Iranian Heritage Day	4486
96-079	Severe Weather Preparedness Week	4487
96-080	Loyalty Day	4487
96-081	Community Consolidated School District 15 Commended on 50th Anniversary	4487
96-082	Employ the Older Worker Week	4488
96-083	Foreign Language Week	4488
96-084	African American Fraternity and Sorority Week	4489
96-085	Metrovision Souther Illinois Day	4489
96-086	St. David's Day	4490
96-087	Casimir Pulaski Day	4847
96-088	Mother of the Year Day	4847
96-089	Carolyn Kazmierczak Commended	4848
96-090	Dental Assistants Recognition Week	4848
96-091	Fritz Campbell Day	4849
96-092	Tree City USA Month	5400
96-093	Chicago Business Opportunity Days	5400
96-094	Croatian-American Association Day	5401
96-095	Women's History Month	5401
96-096	Fritz Campbell Day	5401
96-097	Illinois Crime Victims' Rights Week	5402
96-098	A Magic Night In The Secret Garden	5402
96-099	Bangladesh Day	5402
96-100	Student-Athlete Day	5403
96-101	Veterinary Medical Education Week	5403
96-102	Area 3 Region P.A.C.E. Weekend	5751
96-103	Lou Henson Day	5751
96-104	Tibetan Day	5752
96-105	Professional Social Workers Month	5752
96-106	Licensed Practical Nurse Week	5753
96-107	WSEP Day	5753

Vol. 20, Issue #42	ILLINOIS REGISTER CUMULATIVE INDEX	October 18, 1996
96-108	Federal Employees of the Year Day	5753
96-109	Chicago Latino Film Festival Days	5754
96-110	Early Intervention Month/Look What I Can Do Week	5754
96-111	Elaine V. Mons Month	5754
96-112	Long-Term Care Administrators Week	5755
96-113	Occupational Therapy Month	5755
96-114	Walkamerica Weekend	5756
96-115	D.A.R.E. Day	5756
96-116	Glory to Glory Day	5757
96-117	Public Health Week	5757
96-118	Records and Information Management Day	5758
96-119	American Red Cross Month	5758
96-120	Breastfeeding Promotion Month	5759
96-121	Independent Insurance Agents Centennial Day	5759
96-122	Malcolm X College Career Expo Day	5760
96-123	Saving Month	5760
96-124	Africa Week	5760
96-125	Better Hearing and Speech Month	5761
96-126	Call Before You Dig Month	5761
96-127	Poetry Month	5762
96-128	Human Services Week	6350
96-129	Seed Month	6350
96-130	American POW Recognition Day	6350
96-131	Graduate And Professional Student Appreciation Week	6351
96-132	Logistics Week	6351
96-133	Roosevelt A. Baker Day	6352
96-134	Edwin L. Daniels Day	6352
96-135	Help Handicapped Citizens Day	6353
96-136	Community College Month	6353
96-137	Probation Officer Day	6354
96-138	Auctioneers Month	6354
96-139	Betty Boyer Day	6354
96-140	University of Chicago Laboratory Schools Month	6355
96-141	Celebration And Research Of Christian Heritage Week	6355
96-142	Child Abuse Prevention Month	6356
96-143	Childserv Day	6356
96-144	Harold Washington Day	6356
96-145	Nu City Ministries Week	6357
96-146	Paw Paw Lions Club Day	6357
96-147	Days Of Remembrance Of The Victims Of The Holocaust	6358
96-148	Motorcycle Awareness Month	6358
96-149	Cosmopolitan Community Church Week	6359
96-150	Medical Laboratory Week	6359
96-151	Toby Eckert Day	6360
96-152	Nursing Home Week	6360
96-153	Volunteer Week	6360
96-154	Arts In Education Spring Celebration Months	6361

ILLINOIS REGISTER CUMULATIVE INDEX		Vol. 20, Issue #42	October 18, 1996
96-155 Long-Term Care Nurses Week	6361	96-201 Dance Week	7567
96-156 Manufactured Housing Month	6362	96-202 School Counselor Week	7568
96-157 MS Dinner Of Champions Day/MS Awareness Month	6362	96-203 Harvey L. Miller Day	7568
96-158 Professional Secretaries Week/Professional Secretaries Day	6363	96-204 Oncology Nursing Day	7569
96-159 Roberta Joan Hardy Day	6363	96-205 SHIP Week	7569
96-160 Disaster Areas-Champaign And Macon Counties	6604	96-206 Springfield Area Arts Council Month	7569
96-161 Disaster Areas-Henry, Lake And Marion Counties	6604	96-207 Respect For Law Week	7570
96-162 Armenian Martyrs Day	6605	96-208 Association of Food and Drug Officials Commended	7570
96-163 Kankakee County Board Of Health Congratulated On Its 10th Anniversary	6605	96-209 Certified Internal Auditor Month	7571
96-164 Marine Corps League Week	6606	96-210 Children's Mental Health Week	7571
96-165 Pekin Insurance Day	6606	96-211 Friendship Day	7572
96-166 Allen "Bud" Spencer Day	6606	96-212 Life Insurance Week	7572
96-167 Chicago Academy For The Arts Benefit Day	6607	96-213 Paul D. Barnes Day	7572
96-168 Gateway Foundation Day	6607	96-214 Stamp Collecting Week	7573
96-169 Palmer House Hilton Day	6608	96-215 Tom Littlewood Day	7573
96-170 Telecommunicator Week	6608	96-216 Cytotechnology Day	7574
96-171 Foster Parent Appreciation Month	6609	96-217 Exceptional Children's Week	7574
96-172 Youth Temperance Education Week	6609	96-218 Business Continuity Week	7575
96-173 Christian Heritage Week	6609	96-219 Home Education Week	7575
96-174 Safe Kids America Week/Safe Kids America	6609	96-220 24 Hour Relay Challenge Fundraiser Day	7575
96-175 Student Council Week	6610	96-221 National Association of Letter Carriers Food Drive Day	7576
96-176 Christmas In April/Metro Chicago Week	6611	96-222 Paul and Adele Oberman Day	7576
96-177 Gene R. Alexander Day	6611	96-223 Thomas and Donna Donaldson Month	7577
96-178 Public Service Recognition Day	6612	96-224 National Association of Retired Federal Employees Day	7577
96-179 Metropolitan Pier and Exposition Authority Employee Longevity Day	7467	96-225 Disaster Area - Mason County	7696
96-180 Richard "Bish" Carson Day	7467	96-226 Disaster Areas - Alexander, Brown, Cumberland, Hancock and Richland Counties	7696
96-181 Sauganash Woman's Club Day	7468	96-227 Disaster Areas - Kane, Lake and McHenry Counties	7696
96-182 Vietnamese National Day	7468	96-228 50th Quality Congress	7697
96-183 Disaster Areas - Madison, Monroe and St. Clair Counties	7468	96-229 Arts Week	7697
96-184 Disaster Area - Franklin County	7469	96-230 Quentis Bernard Garth Foundation Day	7698
96-185 RP Awareness Day	7469	96-231 Access Living Day	7698
96-186 Lioness Caramel Day	7470	96-232 Memphis in May/Kansas City Barbeque Society/Illinois State Championship Days	7699
96-187 Drinking Water Link	7470	96-233 Operation Lifesaver Awareness Day	7699
96-188 Lions Candy Day	7471	96-234 Surgical Technologists Week	7700
96-189 NAPM Days	7471	96-234 Telephone Operator's Week	7700
96-190 Disaster Area - Lawrence County	7471	96-236 CRIDS Awareness Day	8103
96-191 Disaster Areas - 19 Counties	7472	96-237 National Association of Insurance Women's Week	8103
96-192 Disaster Areas - Champaign and Vermillion Counties	7564	96-238 Shared Housing Week	8104
96-193 Retired Teachers Association of Chicago Day	7564	96-239 Emergency Medical Services Week	8104
96-194 Rural Electric and Telephone Youth Day	7564	96-240 Gerald and Frances Zeigler Day	8105
96-195 Day of Prayer	7565	96-241 Mark Dillefeld Day	8105
96-196 Health Care Management Team Day	7565	96-242 Week of the High Risk Child	8106
96-197 Hellenic Week	7566	96-243 Abraham Lincoln Elementary School Week	8106
96-198 Older Americans Month	7566	96-244 All American Day	8106
96-199 University of Chicago Service League Day	7566	96-245 Asian American Heritage Month	8107
96-200 World Trading Day	7567	96-246 Electrical Safety Month	8107

Vol. 20, Issue #42	ILLINOIS REGISTER CUMULATIVE INDEX	October 18, 1996
96-293	Alpha Kappa Alpha Sorority, Inc.	8738
96-294	Amateur Radio Week	8738
96-295	Charles E. Carter Day	8738
96-296	Korean War Veterans Recognition Day	8739
96-296	Korean War Veterans Recognition Day (Revised)	10245
96-297	R. Ray Wood Month	8740
96-298	Disaster Area - Ogle County	8740
96-299	Devry Institute Of Technology Week	8740
96-300	Flag Day	8741
96-301	Salem Baptist District Association Week	8741
96-302	Clark County Fair Week	8742
96-302	Clark County Fair Week (Revised)	9413
96-303	John Ahart And Rose Buckner Appreciation Day	8742
96-304	Swedish Immigration Jubilee 1846-1996 Day	8743
96-305	Larabida Children's Hospital And Research Center Day	8743
96-306	World Champion Chicago Bulls Day	8744
96-307	1996 Women's Basketball Weekend	9414
96-308	Dr. Sokoni Karanja/Center For New Horizons Month	9415
96-309	Fox River Trolley Centennial Weekend	9416
96-310	Licensed Environmental Health Practitioners Week	9417
96-311	Linda Tassone/American Cancer Society Day	9418
96-312	American GI Forum Day	9419
96-313	American GI Forum Days	9420
96-314	Dr. Roger E. Compton Commended	9421
96-315	Illinois Paralegal Association And Paralegal/Legal Assistant Day	9423
96-316	Child Support Awareness Month	9424
96-317	William J. Vermette Commended	9425
96-319	Ostrich Awareness Week	9426
96-319	Robert Magill Commended	9427
96-320	Warren L. Wallerstein Commended	9428
96-321	American Family Insurance Recognition Day	9429
96-322	Consulting Engineers Council Of Illinois	9430
96-323	Hudson Family Reunion Weekend	9431
96-324	Paralyzed Veterans Of America Week	9432
96-325	Sobriety Checkpoint Week	10245
96-326	Adam M. Thompson Day	10245
96-327	General Robert L. Rutherford Day	10245
96-328	Lithuanian Folk Dance Festival Day	10246
96-329	Rochester Teen Heros Day	10247
96-330	Trout Valley Congratulated	10247
96-331	Firefighters Appreciation Month	10248
96-332	Bass Pro Day	10248
96-333	Cobden Day	10248
96-334	Easter Seal Day	10249
96-335	End Homelessness Month	10249
96-336	Fomby-Scott-Swain Family Reunion Weekend	10249
96-337	Barrier Awareness Day	10250
96-338	Bernard Nath Day	10250

Vol. 20, Issue #42	ILLINOIS REGISTER CUMULATIVE INDEX	October 18, 1996
96-247	Safe Boating Week	8108
96-248	Save A Life Week	8108
96-249	Amundsen High School Month/Highland Elementary School Month	8381
96-250	Chicago Pediatric Society Day	8381
96-251	Ethnic Media Week	8382
96-252	Henry Nash Elementary School Day	8382
96-253	Quill Corporation Day	8382
96-254	Safety Month	8383
96-255	Challenge of Champions Day	8384
96-256	Dr. Llewellyn J. Cornelius Day	8384
96-257	National Association of Consumer Credit Administrators' Week	8384
96-258	Olympic Torch Relay Day	8384
96-259	Advocate Health Care Day	8385
96-260	Onstrud Cutter Day	8385
96-261	Harold and Norma Leisch Day	8386
96-262	Illinois Trails Day	8387
96-263	Rowland "Poley" Hoffman Day	8387
96-264	Clyde W. Jones Commended	8388
96-265	Gordon Dallion Bush Commended	8388
96-266	Hungary Day	8389
96-267	Order Sons of Italy and Alzheimer's Association "Partners In Progress" Day	8389
96-268	Sunshine Foundation Month	8390
96-269	David F. Hodnik/City of Hope Day	8390
96-270	Garden Week	8390
96-271	International Highway Transportation Safety Week	8391
96-272	Kids Fest '96 Days	8391
96-273	Ruth DeLatour Thomas Day	8392
96-274	Disaster Area-City of Chicago	8579
96-275	Disaster Area-Clinton County	8579
96-276	327th Military Police Battalion Month	8579
96-277	Help Hospitalized Children's Fund Month	8580
96-278	Dan Brown Day	8580
96-279	FamilyCare Of Illinois Month	8581
96-280	Little People's Golf Championships	8581
96-281	Technical Sergeant And Mrs. Stephen L. Carr Day	8581
96-282	United Cerebral Palsy Day	8582
96-283	Mens Health Week	8583
96-284	Puerto Rican Week	8583
96-285	Angela Rinaldi Commended	8734
96-286	Bill Ward Day	8734
96-287	Crimson Express Marching Band Days	8735
96-288	Irv "Kup" Kupciet/Little City Foundation Month	8735
96-289	John DeBella Commended	8736
96-290	Ohio River Sweep Day	8736
96-291	Rideshare Week	8736
96-292	Southern Illinois University At Carbondale Debate Team Commended	8737

96-340 Family Federation Day	10251	96-389 Louis and Evangelynn Wappel Day	12292
96-341 National Baton Twirling Week	10251	96-390 Jane Addams Hull House Association Month	12292
96-342 Smiles For Little City Days	10251	96-391 Public Benefits Outreach Day	12293
96-343 Sarcoidosis Awareness Day	10252	96-392 Drug Free Youth Days	12293
96-344 Ethnic Heritage Parade Day	10252	96-392 Drug Free Youth Days (Revised)	13446
96-345 National Dental Association Week	10253	96-393 Major General and Mrs. Charles T. Robertson Day	12294
96-346 Disaster Areas-13 Northern Illinois Counties	10435	96-394 Dyslexia Month	12295
96-347 Grundy and LaSalle Counties	10435	96-395 Illinois State Journal Building/Frank H. Mason Day	12295
96-348 Inner-City Games Day	10436	96-396 Lieutenant General and Mrs. Charles T. "Tony" Robertson, Jr. Day	12296
96-349 Paul C. Blume Sr. Commended	10436	96-397 Minority Development Month	12296
96-350 Paul C. Blume Sr. Commended (Revised)	12289	96-398 Spinal Health Care Month	12297
96-351 Pom Pon Appreciation Day	10436	96-399 Taste of Romania Days	12297
96-352 Welcome Wagon Week	10437	96-400 75th Anniversary Jubilee Mass of St. Margaret Mary Parish	12297
96-353 Child And Youth Care Workers Week	10437	96-401 Truck Driver Appreciation Month	12298
96-354 Housekeepers Week	10438	96-402 Union Construction Contractor Day	12298
96-355 Village of Lisle/Lisle Area Chamber of Commerce Commended	11504	96-403 American Craft Exposition Day	12299
96-356 Respect Life Week	11504	96-404 Career Development Month	12299
96-357 Bishop Louis Henry Ford Expressway Day	11505	96-405 Certified Professional Secretary Day	12299
96-358 Eureka Grand Chapter Order Of The Eastern Star Week	11506	96-406 Intergenerational Week	12300
96-359 Hume-Carnegie Museum Day	11507	96-407 Partnership Illinois Day	12300
96-360 Jenny Spangler Day	11507	96-408 Dubois Elementary School Day	12301
96-361 U.S. Paralympic Team Commended	11508	96-409 International Festival of Life Days	12301
96-362 Windsor Harvest Picnic Days	11509	96-410 James Jordan Boys and Girls Club and Family Life Center Day	12302
96-363 Dunbar-Abrams Alumni Association Days	11509	96-411 Marrow Donor Awareness Month	12302
96-364 Good News Day	11510	96-412 Mexican Independence Month	12303
96-365 Homeless Animals Day	11510	96-413 Y-ME National Breast Cancer Day	12303
96-366 Chicago School of Massage Therapy Day	11511	96-414 Churchs Chicken Habitat Day of Dreams	12304
96-367 Continuing The Year Of The Veteran	11511	96-415 Dr. Wilson H. West Commended	12304
96-368 Hattie Ellis Day	11512	96-416 India Day	12305
96-369 His Holiness The 14th Dalai Lama Tenzin Gyatso Day	11512	96-417 Vocational Student Organization Week	12663
96-370 Peruvian Day	11513	96-418 African Festival of the Arts Day	12663
96-371 School's Open Safety Week	11513	96-419 Fairfield Glade's Illinois Day	12663
96-372 Bud Billiken Day	11514	96-420 Reflex Sympathic Dystrophy Syndrome Month	12664
96-373 Women's Business Development Day	11514	96-421 Roberson Transportation Services, Inc. Day	12665
96-374 Children's Film Week	12289	96-422 Robert Mariano Day	12665
96-375 Minority Organ/Tissue Donor Awareness Day	12289	96-423 Uruguay Day	12665
96-376 Churches Of Christ Week	12290	96-424 Mothers of Twins and Multiples Week	12666
96-377 Ecuador Day	12290	96-425 Virginia Trager Day	12666
96-378 Gulik Pharmacy Days	12291	96-426 Vocational Education Week	12668
96-379 Ikon Office Solutions Day	12291	96-426 Vocational Education Week (Revised)	12668
96-380 Love Day	12291	96-427 Duchossois Center for Advanced Medicine Day	12667
96-381 Disaster Area - City of Chicago	12292	96-428 Starlight Day	12667
96-382 Fay Montrose Sims Commended	12292	96-429 Union Label Week	12668
96-383 George H. Miller Day	12292	96-430 Compulsive Gambling Awareness Week	12669
96-384 NO Crime Day	12292	96-431 Friends of CSU Award Day	12669
96-385 Robert Franklin Naylor Day	12292	96-432 Pete and Linda Day	12669
96-386 Hunting and Fishing Day	12292	96-433 Radiologic Technologists Days	12669
96-387 Katherine Dunham Day	12292		

96-434 America Goes Back to School: Get Involved Week	12670	96-480 Handball Week	13460
96-435 Carolyn Fauble Congratulated	12670	96-481 Snowmobile Safety Awareness Week	13460
96-436 Carter Temple Christian Methodist Episcopal Church Day	12671	96-482 National Wildlife Refuge Week	13461
96-437 Chamber of Commerce Week	12671	96-483 Olive Branch Lodge No. 38 Day	13461
96-438 Eileen Tanner Homecoming Day	12672	96-484 Principals' Week	13462
96-439 Make a Difference Day	12672	96-485 Safe At Home Week	13462
96-440 Single Parents Day	12672	96-486 Student Voter Education Day	13463
96-441 Single Parents Day (Revised)	13446	96-487 University of Illinois-Navy Pier Month	13463
96-442 Constitution Week	12673		
96-443 Kids Voting Day	12673		
96-444 YWCA Week Without Violence	12674		
96-445 Dr. Hector Garcia Day	12674		
96-446 Harry A. Thiel Day	12675		
96-447 Hispanic Illinois State Law Enforcement Day	12675		
96-448 Illinois Judicial Council Day	12676		
96-449 Iron Overload Awareness Week	12676		
96-450 Treatment Works Month	12677		
96-451 Argonne National Laboratory Week	13447		
96-452 Save Today Day	13447		
96-453 Great Printers Day	13448		
96-454 Rockford Toolcraft, Inc. Commended	13448		
96-455 Veterans Day	13449		
96-456 Dr. Herbert Webb Day	13449		
96-457 Dystonia Awareness Week	13449		
96-458 Dystonia Awareness Week (Revised)	13450		
96-459 Kate and Alfred Margardt Congratulated	13450		
96-460 Mexican American Chamber of Commerce of Illinois Day	13451		
96-461 Village of New Lenox Congratulated	13451		
96-462 American Business Women's Day	13451		
96-463 Critical Care Nurse Week	13452		
96-464 ISA/96 Week	13452		
96-465 It is Our Fight Too Month	13452		
96-466 Peter Robert Lehner Day	13453		
96-467 Fayette County Board of Health Congratulated	13453		
96-468 Illinois Symphony Orchestra Day	13454		
96-469 Leif Erikson Day	13454		
96-470 African American Educators' Day	13455		
96-471 Child Health Month	13455		
96-472 Family Health Month	13456		
96-473 First Baptist Church Day	13456		
96-474 Grayslake High School Day	13457		
96-475 Hispanic Heritage Month	13457		
96-476 Judge Abraham Lincoln Marovitz Day	13458		
96-477 Polish American Heritage Month	13458		
96-478 Quality Month	13458		
96-479 Rosa Parks Day	13459		
96-480 Chiopratric Health Care Month	13459		
96-481 GFWC Illinois Junior Women's Club Week	13459		
	13460		

This Sections Affected Index lists, by title, each Section of a Part on which Rule Making has occurred in this volume (calendar year) of the Illinois Register. The columns indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume of the Register is proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 11 Ill. Adm. Code 465.115 was proposed last year and adopted this year. The action entry reads: (P-15655/95; A-6520). The codes are listed below.

TITLE OF RULE MAKING ACTION CODE

am = amend to existing Section
= renumbered
n = New Section
r = repeal of existing Section
re = recodified

A = Adopted Rule
E = Emergency
P = Proposed Rule
M = Modification
W = Withdrawal
RS = Response
EC = Expedited Correction
RQ = Request for Correction
R = Refusal

PF = Prohibited Filing
S = Suspension
O = JCAR Objection
F = Failure to Remedy Objections
RC = Recommendations
CC = Codification Changes
C = Correction

1996	1900.110	am	(A-364)	2175.210	n	(A-4798)
	1900.210	am	(A-364)	2175.215	n	(A-4798)
	1900.250	am	(A-364)	2175.220	n	(A-4798)
	1900.270	am	(A-364)	2175.300	n	(A-4798)
	1901.110	am	(A-358)	2175.305	n	(A-4798)
	1901.210	am	(A-358)	2175.315	n	(A-4798)
	1901.410	am	(A-358)	2175.320	n	(A-4798)
	1901.Ap.A	am	(A-358)	2175.325	n	(A-4798)
	2075.10	am	(A-7511)	2175.400	n	(A-4798)
	2075.20	am	(A-7511)	2175.500	n	(A-4798)
	2075.100	am	(A-7511)	2175.510	n	(A-4798)
	2175.10	r	(A-4798)	2175.515	n	(A-4798)
	2175.20	r	(A-4798)	2175.520	n	(A-4798)
	2175.110	r	(A-4798)	2175.525	n	(A-4798)
	2175.120	r	(A-4798)	2175.530	n	(A-4798)
	2175.130	r	(A-4798)	2175.535	n	(A-4798)
	2175.140	r	(A-4798)	2175.600	n	(A-4798)
	2175.210	r	(A-4798)	2175.Ap.A	n	(A-4798)
	2175.310	r	(A-4798)	2300.	re	(CC-12526)
	2175.320	r	(A-4798)	2301.	re	(CC-12526)
	2175.330	r	(A-4798)	2500.10	am	(P-674-A-7386)
	2175.340	r	(A-4798)	2500.120	am	(P-674-A-7386)
	2175.350	r	(A-4798)	2500.210	am	(P-674-A-7386)
	2175.360	r	(A-4798)	2500.220	am	(P-674-A-7386)
	2175.370	r	(A-4798)	2500.400	am	(P-674-A-7386)
	2175.380	r	(A-4798)	2500.Ap.B	am	(P-674-A-7386)
	2175.390	r	(A-4798)	2501.20	am	(P-674-A-7386)
	2175.105	n	(A-4798)	2501.50	am	(P-674-A-7386)
	2175.115	n	(A-4798)	2501.60	am	(P-674-A-7386)
	2175.125	n	(A-4798)	2501.80	am	(P-674-A-7386)
	2175.135	n	(A-4798)	2501.100	am	(P-674-A-7386)
	2175.145	n	(A-4798)	2501.130	am	(P-674-A-7386)
	2175.200	n	(A-4798)	2501.200	am	(P-674-A-7386)
	2175.205	n	(A-4798)	2501.210	am	(P-674-A-7386)

SAI-1

SECTIONS AFFECTED INDEX

116.30	am	(P-12762/95;A-1509)	75.80	am	(P-12762/95;A-1509)	116.30	am	(P-8777)
116.40	am	(P-12762/95;A-1509)	75.90	am	(P-12762/95;A-1509)	116.40	am	(P-12798/95;A-290)
116.50	am	(P-12762/95;A-1509)	75.110	am	(P-12762/95;A-1509)	116.50	am	(P-8773)
125.80	am	(P-12762/95;A-1509)	75.120	am	(P-12762/95;A-1509)	125.80	am	(P-12798/95;A-290)
125.100	am	(P-12762/95;A-1509)	75.130	am	(P-12762/95;A-1509)	125.100	am	(P-8626)
125.200	am	(P-12762/95;A-1509)	75.140	am	(P-12762/95;A-1509)	125.200	am	(P-10403)
125.260	am	(P-12762/95;A-1509)	75.150	am	(P-12762/95;A-1509)	125.260	am	(P-10403)
125.270	am	(P-12762/95;A-1509)	75.160	am	(P-12762/95;A-1509)	125.270	am	(P-10403)
125.300	am	(P-12762/95;A-1509)	75.170	am	(P-12762/95;A-1509)	125.300	am	(P-8626)
125.340	am	(P-12762/95;A-1509)	75.180	am	(P-12762/95;A-1509)	125.340	am	(P-12634)
125.380	am	(P-12762/95;A-1509)	75.190	am	(P-12762/95;A-1509)	125.380	am	(P-10403)
125.390	am	(P-12762/95;A-1509)	75.200	am	(P-12762/95;A-1509)	125.390	am	(P-10403)
281.	am	(P-12762/95;A-1509)	85.50	am	(P-12762/95;A-1509)	281.	am	(P-10403)
281.10	am	(P-12762/95;A-1509)	85.10	am	(P-12762/95;A-1509)	281.10	am	(P-10403)
281.20	am	(P-12762/95;A-1509)	85.15	am	(P-12762/95;A-1509)	281.20	am	(P-10403)
281.30	am	(P-12762/95;A-1509)	85.20	am	(P-12762/95;A-1509)	281.30	am	(P-10403)
281.40	am	(P-12762/95;A-1509)	85.25	am	(P-12762/95;A-1509)	281.40	am	(P-10403)
281.50	am	(P-12762/95;A-1509)	85.30	am	(P-12762/95;A-1509)	281.50	am	(P-10403)
281.60	am	(P-12762/95;A-1509)	85.35	am	(P-12762/95;A-1509)	281.60	am	(P-10403)
281.70	am	(P-12762/95;A-1509)	85.40	am	(P-12762/95;A-1509)	281.70	am	(P-10403)
281.80	am	(P-12762/95;A-1509)	85.45	am	(P-12762/95;A-1509)	281.80	am	(P-10403)
281.90	am	(P-12762/95;A-1509)	85.50	am	(P-12762/95;A-1509)	281.90	am	(P-10403)
281.95	am	(P-12762/95;A-1509)	85.55	am	(P-12762/95;A-1509)	281.95	am	(P-10403)
282.00	am	(P-12762/95;A-1509)	85.60	am	(P-12762/95;A-1509)	282.00	am	(P-10403)
282.05	am	(P-12762/95;A-1509)	85.65	am	(P-12762/95;A-1509)	282.05	am	(P-10403)
282.10	am	(P-12762/95;A-1509)	85.70	am	(P-12762/95;A-1509)	282.10	am	(P-10403)
282.15	am	(P-12762/95;A-1509)	85.75	am	(P-12762/95;A-1509)	282.15	am	(P-10403)
282.20	am	(P-12762/95;A-1509)	85.80	am	(P-12762/95;A-1509)	282.20	am	(P-10403)
282.25	am	(P-12762/95;A-1509)	85.85	am	(P-12762/95;A-1509)	282.25	am	(P-10403)
282.30	am	(P-12762/95;A-1509)	85.90	am	(P-12762/95;A-1509)	282.30	am	(P-10403)
282.35	am	(P-12762/95;A-1509)	85.95	am	(P-12762/95;A-1509)	282.35	am	(P-10403)
282.40	am	(P-12762/95;A-1509)	86.00	am	(P-12762/95;A-1509)	282.40	am	(P-10403)
282.45	am	(P-12762/95;A-1509)	86.05	am	(P-12762/95;A-1509)	282.45	am	(P-10403)
282.50	am	(P-12762/95;A-1509)	86.10	am	(P-12762/95;A-1509)	282.50	am	(P-10403)
282.55	am	(P-12762/95;A-1509)	86.15	am	(P-12762/95;A-1509)	282.55	am	(P-10403)
282.60	am	(P-12762/95;A-1509)	86.20	am	(P-12762/95;A-1509)	282.60	am	(P-10403)
282.65	am	(P-12762/95;A-1509)	86.25	am	(P-12762/95;A-1509)	282.65	am	(P-10403)
282.70	am	(P-12762/95;A-1509)	86.30	am	(P-12762/95;A-1509)	282.70	am	(P-10403)
282.75	am	(P-12762/95;A-1509)	86.35	am	(P-12762/95;A-1509)	282.75	am	(P-10403)
282.80	am	(P-12762/95;A-1509)	86.40	am	(P-12762/95;A-1509)	282.80	am	(P-10403)
282.85	am	(P-12762/95;A-1509)	86.45	am	(P-12762/95;A-1509)	282.85	am	(P-10403)
282.90	am	(P-12762/95;A-1509)	86.50	am	(P-12762/95;A-1509)	282.90	am	(P-10403)
282.95	am	(P-12762/95;A-1509)	86.55	am	(P-12762/95;A-1509)	282.95	am	(P-10403)
283.00	am	(P-12762/95;A-1509)	86.60	am	(P-12762/95;A-1509)	283.00	am	(P-10403)
283.05	am	(P-12762/95;A-1509)	86.65	am	(P-12762/95;A-1509)	283.05	am	(P-10403)
283.10	am	(P-12762/95;A-1509)	86.70	am	(P-12762/95;A-1509)	283.10	am	(P-10403)
283.15	am	(P-12762/95;A-1509)	86.75	am	(P-12762/95;A-1509)	283.15	am	(P-10403)
283.20	am	(P-12762/95;A-1509)	86.80	am	(P-12762/95;A-1509)	283.20	am	(P-10403)
283.25	am	(P-12762/95;A-1509)	86.85	am	(P-12762/95;A-1509)	283.25	am	(P-10403)
283.30	am	(P-12762/95;A-1509)	86.90	am	(P-12762/95;A-1509)	283.30	am	(P-10403)
283.35	am	(P-12762/95;A-1509)	86.95	am	(P-12762/95;A-1509)	283.35	am	(P-10403)
283.40	am	(P-12762/95;A-1509)	87.00	am	(P-12762/95;A-1509)	283.40	am	(P-10403)
283.45	am	(P-12762/95;A-1509)	87.05	am	(P-12762/95;A-1509)	283.45	am	(P-10403)
283.50	am	(P-12762/95;A-1509)	87.10	am	(P-12762/95;A-1509)	283.50	am	(P-10403)
283.55	am	(P-12762/95;A-1509)	87.15	am	(P-12762/95;A-1509)	283.55	am	(P-10403)
283.60	am	(P-12762/95;A-1509)	87.20	am	(P-12762/95;A-1509)	283.60	am	(P-10403)
283.65	am	(P-12762/95;A-1509)	87.25	am	(P-12762/95;A-1509)	283.65	am	(P-10403)
283.70	am	(P-12762/95;A-1509)	87.30	am	(P-12762/95;A-1509)	283.70	am	(P-10403)
283.75	am	(P-12762/95;A-1509)	87.35	am	(P-12762/95;A-1509)	283.75	am	(P-10403)
283.80	am	(P-12762/95;A-1509)	87.40	am	(P-12762/95;A-1509)	283.80	am	(P-10403)
283.85	am	(P-12762/95;A-1509)	87.45	am	(P-12762/95;A-1509)	283.85	am	(P-10403)
283.90	am	(P-12762/95;A-1509)	87.50	am	(P-12762/95;A-1509)	283.90	am	(P-10403)
283.95	am	(P-12762/95;A-1509)	87.55	am	(P-12762/95;A-1509)	283.95	am	(P-10403)
284.00	am	(P-12762/95;A-1509)	87.60	am	(P-12762/95;A-1509)	284.00	am	(P-10403)
284.05	am	(P-12762/95;A-1509)	87.65	am	(P-12762/95;A-1509)	284.05	am	(P-10403)
284.10	am	(P-12762/95;A-1509)	87.70	am	(P-12762/95;A-1509)	284.10	am	(P-10403)
284.15	am	(P-12762/95;A-1509)	87.75	am	(P-12762/95;A-1509)	284.15	am	(P-10403)
284.20	am	(P-12762/95;A-1509)	87.80	am	(P-12762/95;A-1509)	284.20	am	(P-10403)
284.25	am	(P-12762/95;A-1509)	87.85	am	(P-12762/95;A-1509)	284.25	am	(P-10403)
284.30	am	(P-12762/95;A-1509)	87.90	am	(P-12762/95;A-1509)	284.30	am	(P-10403)
284.35	am	(P-12762/95;A-1509)	87.95	am	(P-12762/95;A-1509)	284.35	am	(P-10403)
284.40	am	(P-12762/95;A-1509)	88.00	am	(P-12762/95;A-1509)	284.40	am	(P-10403)
284.45	am	(P-12762/95;A-1509)	88.05	am	(P-12762/95;A-1509)	284.45	am	(P-10403)
284.50	am	(P-12762/95;A-1509)	88.10	am	(P-12762/95;A-1509)	284.50	am	(P-10403)
284.55	am	(P-12762/95;A-1509)	88.15	am	(P-12762/95;A-1509)	284.55	am	(P-10403)
284.60	am	(P-12762/95;A-1509)	88.20	am	(P-12762/95;A-1509)	284.60	am	(P-10403)
284.65	am	(P-12762/95;A-1509)	88.25	am	(P-12762/95;A-1509)	284.65	am	(P-10403)
284.70	am	(P-12762/95;A-1509)	88.30	am	(P-12762/95;A-1509)	284.70	am	(P-10403)
284.75	am	(P-12762/95;A-1509)	88.35	am	(P-12762/95;A-1509)	284.75	am	(P-10403)
284.80	am	(P-12762/95;A-1509)	88.40	am	(P-12762/95;A-1509)	284.80	am	(P-10403)
284.85	am	(P-12762/95;A-1509)	88.45	am	(P-12762/95;A-1509)	284.85	am	(P-10403)
284.90	am	(P-12762/95;A-1509)	88.50	am	(P-12762/95;A-1509)	284.90	am	(P-10403)
284.95	am	(P-12762/95;A-1509)	88.55	am	(P-12762/95;A-1509)	284.95	am	(P-10403)
285.00	am	(P-12762/95;A-1509)	88.60	am	(P-12762/95;A-1509)	285.00	am	(P-10403)

Title B cont.	r	(P-33,A-5517)	n	(P-584)(P-4239;	A-7963)	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	(E-603)(P-4260;	n	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[illegible]

Title 77, cont.	n	(P-7086)	2070.2242	n	(P-3081)	310.440	am	(P-9777)	Title 80, cont.	n	(P-3118)	725.200	n	(P-13632/95-A-5335)	725.200	n	(P-8541)	761.40	n	(P-8541)	761.40
2060.503	n	(P-3081)	2070.2244	n	(P-3081)	310.450	am	(P-9777)	1650.940	n	(P-3118)	725.201	f	(P-13663/95-A-5333)	725.201	f	(P-8541)	761.100	n	(P-8541)	761.100
2060.504	n	(P-7086)	2070.2248	n	(P-3081)	310.456	f	(E-10213)	1650.960	n	(P-3118)	725.202	f	(P-13663/95-A-5333)	725.202	f	(P-8541)	761.110	n	(P-8541)	761.110
2060.507	n	(P-7086)	2070.2256	n	(P-3081)	310.480	am	(E-10213)	1650.970	n	(P-3118)	725.203	f	(P-13663/95-A-5333)	725.203	f	(P-8541)	761.130	n	(P-8541)	761.130
2070.122	n	(P-3081)	2070.2259	n	(P-3081)	310.490	am	(P-5106)	1650.980	n	(P-3118)	725.205	f	(P-13663/95-A-5335)	725.205	f	(P-8541)	761.140	n	(P-8541)	761.140
2070.124	n	(P-3081)	2070.2266	n	(P-3081)	310.490	am	(P-9777)(E-10213)	1650.990	n	(P-3118)	725.206	f	(P-13663/95-A-5333)	725.206	f	(P-8541)	761.150	n	(P-8541)	761.150
2070.130	n	(P-3081)	2070.2269	n	(P-3081)	310.500	am	(P-5106)	1650.1000	n	(P-3118)	725.210	n	(P-13663/95-A-5335)	725.210	n	(P-8541)	761.200	n	(P-8541)	761.200
2070.145	am	(P-3081)	2070.2272	n	(P-3081)	310.530	am	(P-4491-A-8657)	1650.1000	n	(P-3118)	725.215	n	(P-13663/95-A-5335)	725.215	n	(P-8541)	761.210	n	(P-8541)	761.210
2070.148	am	(P-3081)	2070.2277	n	(P-3081)	310.540	am	(P-9777)(E-10213)	1650.1020	n	(P-3118)	725.220	n	(P-13663/95-A-5335)	725.220	n	(P-8541)	761.220	n	(P-8541)	761.220
2070.157	n	(P-3081)	2070.2291	n	(P-3081)	310.540	am	(P-9777)(E-10213)	1650.1030	n	(P-3118)	725.225	n	(P-13663/95-A-5335)	725.225	n	(P-8541)	761.230	n	(P-8541)	761.230
2070.247	n	(P-3081)	2070.2292	n	(P-3081)	310.540	am	(P-9777)(E-10213)	1650.1040	n	(P-3118)	725.301	f	(P-13663/95-A-5335)	725.301	f	(P-8541)	761.240	n	(P-8541)	761.240
2070.272	am	(P-3081)	2070.2293	n	(P-3081)	310.540	am	(P-5106)	1650.1050	n	(P-3118)	725.302	f	(P-13663/95-A-5333)	725.302	f	(P-8541)	761.250	n	(P-8541)	761.250
2070.273	n	(P-3081)	2070.2294	n	(P-3081)	Tb.F	am	(P-12365/95-A-308)	1650.1060	n	(P-3118)	725.303	f	(P-13663/95-A-5333)	725.303	f	(P-8541)	761.260	n	(P-8541)	761.260
2070.297	n	(P-3081)	2070.2297	n	(P-3081)	Tb.AA	am	(P-4091-A-9006)	1650.1070	n	(P-3118)	725.304	f	(P-13663/95-A-5333)	725.304	f	(P-8541)	761.270	n	(P-8541)	761.270
2070.388	n	(P-3081)	2070.2312	n	(P-3081)	Tb.D	am	(P-7691)	1650.1080	n	(P-3118)	725.305	n	(P-13663/95-A-5333)	725.305	n	(P-8541)	761.280	n	(P-8541)	761.280
2070.397	n	(P-3081)	2070.2317	n	(P-3081)	Tb.J	am	(P-13102)	2110.610	am	(P-12678)	725.400	n	(P-13663/95-A-5335)	725.400	n	(P-8541)	761.290	n	(P-8541)	761.290
2070.606	n	(P-3081)	2070.2322	n	(P-3081)	Tb.L	am	(P-12365/95-A-308)	2120.440	am	(P-12782)	725.401	f	(P-13663/95-A-5335)	725.401	f	(P-8541)	761.300	n	(P-8541)	761.300
2070.608	n	(P-3081)	2070.2350	n	(P-3081)	Tb.P	am	(P-7434)(P-13102)	2120.760	am	(P-12692)	725.500	f	(P-13663/95-A-5335)	725.500	f	(P-8541)	761.310	n	(P-8541)	761.310
2070.640	am	(P-3081)	2070.2503	n	(P-3081)	Tb.V	am	(P-13408)	2800.710	am	(P-942-A-7379)	725.501	f	(P-13663/95-A-5333)	725.501	f	(P-8541)	761.320	n	(P-8541)	761.320
2070.655	am	(P-3081)	2070.2510	n	(P-3081)	Tb.O	am	(P-13408)	2850.501	f	(P-942-A-7379)	725.502	f	(P-13663/95-A-5333)	725.502	f	(P-8541)	761.330	n	(P-8541)	761.330
2070.667	am	(P-3081)	2070.2515	n	(P-3081)	Tb.O	am	(P-12365/95-A-308)	3000.100	am	(P-935-A-7372)	725.503	f	(P-13663/95-A-5333)	725.503	f	(P-8541)	761.340	n	(P-8541)	761.340
2070.690	am	(P-3081)	2070.2545	n	(P-3081)	Tb.P	am	(P-12365/95-A-308)	3000.140	am	(P-935-A-7372)	725.505	f	(P-13663/95-A-5333)	725.505	f	(P-8541)	761.350	n	(P-8541)	761.350
2070.695	am	(P-3081)	2070.2850	n	(P-3081)	Tb.V	am	(P-13408)	3000.210	am	(P-935-A-7372)	725.600	f	(P-13663/95-A-5333)	725.600	f	(P-8541)	761.360	n	(P-8541)	761.360
2070.700	am	(P-3081)	2070.2855	n	(P-3081)	Tb.V	am	(P-6334)	3000.230	am	(P-935-A-7372)	725.601	f	(P-13663/95-A-5333)	725.601	f	(P-8541)	761.370	n	(P-8541)	761.370
2070.720	n	(P-3081)	2070.2750	n	(P-3081)	310.46.B	am	(P-4491-A-8657)	3000.238	am	(P-1508/95-A-9280)	725.602	f	(P-13663/95-A-5333)	725.602	f	(P-8541)	761.380	n	(P-8541)	761.380
2070.725	n	(P-3081)	2080.20	am	(P-3107)	310.46.C	am	(P-4491-A-8657)	3000.238	am	(P-935-A-7372)	725.603	f	(P-13663/95-A-5333)	725.603	f	(P-8541)	761.400	n	(P-8541)	761.400
2070.730	n	(P-3081)	2080.110	am	(P-3107)	310.46.C	am	(P-9777)(E-10213)	105.10	am	(P-1780/94-A-1682195)	725.615	n	(P-13663/95-A-5335)	725.615	n	(P-8541)	761.410	n	(P-8541)	761.410
2070.735	n	(P-3081)	2080.120	am	(P-3107)	310.46.D	am	(P-9777)(E-10213)	200.60	am	(P-5737/EC-7957)	725.620	n	(P-13663/95-A-5335)	725.620	n	(P-8541)	761.420	n	(P-8541)	761.420
2070.740	n	(P-3081)	2080.150	am	(P-3107)	310.46.G	am	(P-9777)(E-10213)	200.70	am	(P-11236/95-A-10607)	725.701	f	(P-13663/95-A-5333)	725.701	f	(P-8541)	761.430	n	(P-8541)	761.430
2070.745	n	(P-3081)	2080.160	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.70	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.440	n	(P-8541)	761.440
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.450	n	(P-8541)	761.450
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.460	n	(P-8541)	761.460
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.470	n	(P-8541)	761.470
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.480	n	(P-8541)	761.480
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.490	n	(P-8541)	761.490
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.500	n	(P-8541)	761.500
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.510	n	(P-8541)	761.510
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.520	n	(P-8541)	761.520
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.530	n	(P-8541)	761.530
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.540	n	(P-8541)	761.540
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.550	n	(P-8541)	761.550
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.560	n	(P-8541)	761.560
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.570	n	(P-8541)	761.570
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.580	n	(P-8541)	761.580
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.590	n	(P-8541)	761.590
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.600	n	(P-8541)	761.600
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.610	n	(P-8541)	761.610
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.620	n	(P-8541)	761.620
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.630	n	(P-8541)	761.630
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.640	n	(P-8541)	761.640
2070.745	n	(P-3081)	2080.170	am	(P-3107)	310.46.G	am	(P-4491-A-8657)	200.150	am	(P-11236/95-A-10607)	725.702	f	(P-13663/95-A-5333)	725.702	f	(P-8541)	761.650	n	(P-8541)	

Title 83, cont.	TITLE 86										Title 86, cont.
	n	(P-8407)	764.40	n	(P-8395)	130.201,2	n	(P-8626)	(P-8626)		
763.20	n	(P-8407)	764.100	n	(P-8395)	140.35	n	(P-1437,95;A-5799)	680.101		
763.30	n	(P-8407)	764.110	n	(P-8395)	140.35	am	(P-1437,95;A-5799)	680.105		
763.310	n	(P-8407)	764.120	n	(P-8395)	140.127	am	(P-8637)	680.110		
763.40	n	(P-8407)	764.130	n	(P-8395)	140.128	n	(P-8637)	680.115		
762.420	n	(P-8407)	764.140	n	(P-8395)	140.401	am	(P-16500;95;A-7008)	680.120		
762.430	n	(P-8407)	764.150	n	(P-8395)	140.405	am	(P-16500;95;A-7008)	680.125		
762.440	n	(P-8407)	764.200	n	(P-8395)	140.523	am	(P-1146;A-6828)	680.130		
763.10	n	(P-8407)	764.210	n	(P-8395)	140.570	am	(P-16776;95;A-6928)	680.135		
763.10	n	(P-8407)	764.220	n	(P-8395)	144.275	am	(P-16776;95;A-6928)	680.140		
763.20	n	(P-8407)	764.230	n	(P-8395)	147.205	am	(P-16798;95;A-6863)	680.145		
763.30	n	(P-8407)	764.300	n	(P-8395)	150.331	n	(P-8648)	680.150		
763.30	n	(P-8407)	764.320	n	(P-8395)	150.332	n	(P-8648)	680.155		
763.30	n	(P-8407)	764.330	n	(P-8395)	150.331	am	(P-16511;95;A-7019)	680.160		
763.40	n	(P-8407)	764.340	n	(P-8395)	150.901	n	(P-8644)	680.165		
763.40	n	(P-8407)	764.350	n	(P-8395)	160.116	n	(P-8644)	680.170		
763.100	n	(P-8407)	764.360	n	(P-8395)	160.116	n	(P-8644)	680.175		
763.110	n	(P-8407)	764.370	n	(P-8395)	160.116	n	(P-8644)	680.180		
763.110	n	(P-8407)	764.400	n	(P-8395)	170.360	am	(P-11316;95;A-5685)	682.105		
763.110	n	(P-8407)	764.410	n	(P-8395)	170.370	am	(P-11316;95;A-5685)	682.110		
763.120	n	(P-8407)	764.420	n	(P-8395)	170.380	am	(P-13789;95;A-5685)	682.115		
763.120	n	(P-8407)	764.430	n	(P-8395)	170.380	am	(P-13789;95;A-5685)	682.120		
763.120	n	(P-8407)	764.440	n	(P-8395)	200.101	am	(P-7143;95;A-888)	700.300		
763.120	n	(P-8407)	764.450	n	(P-8395)	200.105	am	(P-7143;95;A-888)	700.305		
763.130	n	(P-8407)	764.460	n	(P-8395)	200.107	am	(P-7143;95;A-888)	700.310		
763.130	n	(P-8407)	764.470	n	(P-8395)	200.110	am	(P-7143;95;A-888)	700.315		
763.140	n	(P-8407)	764.480	n	(P-8395)	200.115	am	(P-7143;95;A-888)	700.320		
763.140	n	(P-8407)	764.490	n	(P-8395)	200.120	am	(P-7143;95;A-888)	700.325		
763.150	n	(P-8407)	764.500	n	(P-8395)	200.125	am	(P-7143;95;A-888)	700.330		
763.150	n	(P-8407)	764.510	n	(P-8395)	200.130	am	(P-7143;95;A-888)	700.335		
763.200	n	(P-8407)	764.520	n	(P-8395)	200.135	am	(P-7143;95;A-888)	700.340		
763.200	n	(P-8407)	764.530	n	(P-8395)	200.137	am	(P-7143;95;A-888)	700.345		
763.210	n	(P-8407)	764.540	n	(P-8395)	200.140	am	(P-7143;95;A-888)	700.350		
763.210	n	(P-8407)	764.550	n	(P-8395)	200.145	am	(P-7143;95;A-888)	700.355		
763.230	n	(P-8407)	764.560	n	(P-8395)	200.155	am	(P-7143;95;A-888)	700.360		
763.230	n	(P-8407)	764.570	n	(P-8395)	200.160	am	(P-7143;95;A-888)	700.365		
763.300	n	(P-8407)	764.580	n	(P-8395)	200.162	am	(P-7143;95;A-888)	700.370		
763.300	n	(P-8407)	764.590	n	(P-8395)	200.165	am	(P-7143;95;A-888)	700.375		
763.320	n	(P-8407)	764.600	n	(P-8395)	200.168	am	(P-7143;95;A-888)	700.380		
763.320	n	(P-8407)	764.610	n	(P-8395)	200.175	am	(P-7143;95;A-888)	700.385		
763.330	n	(P-8407)	764.620	n	(P-8395)	200.185	am	(P-7143;95;A-888)	700.390		
763.330	n	(P-8407)	764.630	n	(P-8395)	200.190	n	(P-7143;95;A-888)	700.395		
763.330	n	(P-8407)	764.640	n	(P-8395)	200.195	n	(P-7143;95;A-888)	700.400		
763.340	n	(P-8407)	764.650	n	(P-8395)	200.200	n	(P-7143;95;A-888)	700.405		
763.340	n	(P-8407)	764.660	n	(P-8395)	200.205	n	(P-7143;95;A-888)	700.410		
763.350	n	(P-8407)	764.670	n	(P-8395)	200.210	n	(P-7143;95;A-888)	700.415		
763.350	n	(P-8407)	764.680	n	(P-8395)	200.215	n	(P-7143;95;A-888)	700.420		
763.350	n	(P-8407)	764.690	n	(P-8395)	200.220	n	(P-7143;95;A-888)	700.425		
763.360	n	(P-8407)	764.700	n	(P-8395)	200.225	n	(P-7143;95;A-888)	700.430		
763.360	n	(P-8407)	764.710	n	(P-8395)	200.230	n	(P-7143;95;A-888)	700.435		
763.370	n	(P-8407)	764.720	n	(P-8395)	200.235	am	(P-13035)	700.440		
763.370	n	(P-8407)	764.730	n	(P-8395)	200.240	am	(P-13035)	700.445		
763.370	n	(P-8407)	764.740	n	(P-8395)	200.245	am	(P-13035)	700.450		
763.380	n	(P-8407)	764.750	n	(P-8395)	200.250	am	(P-13035)	700.455		
763.380	n	(P-8407)	764.760	n	(P-8395)	200.255	am	(P-13035)	700.460		
763.380	n	(P-8407)	764.770	n	(P-8395)	200.260	am	(P-13035)	700.465		
763.390	n	(P-8407)	764.780	n	(P-8395)	200.265	am	(P-13035)	700.470		
763.400	n	(P-8407)	764.790	n	(P-8395)	200.270	am	(P-13035)	700.475		
763.410	n	(P-8407)	764.800	n	(P-8395)	200.275	am	(P-13035)	700.480		
763.410	n	(P-8407)	764.810	n	(P-8395)	200.280	am	(P-13035)	700.485		
763.420	n	(P-8407)	764.820	n	(P-8395)	200.285	am	(P-13035)	700.490		
763.420	n	(P-8407)	764.830	n	(P-8395)	200.290	am	(P-13035)	700.495		
763.430	n	(P-8407)	764.840	n	(P-8395)	200.295	am	(P-13035)	700.500		
763.440	n	(P-8407)	764.850	n	(P-8395)	200.300	am	(P-13035)	700.505		
763.440	n	(P-8407)	764.860	n	(P-8395)	200.305	am	(P-13035)	700.510		
763.450	n	(P-8407)	764.870	n	(P-8395)	200.310	am	(P-13035)	700.515		
763.450	n	(P-8407)	764.880	n	(P-8395)	200.315	am	(P-13035)	700.520		
763.460	n	(P-8407)	764.890	n	(P-8395)	200.320	am	(P-13035)	700.525		
763.460	n	(P-8407)	764.900	n	(P-8395)	200.325	am	(P-13035)	700.530		
763.470	n	(P-8407)	764.910	n	(P-8395)	200.330	am	(P-13035)	700.535		
763.470	n	(P-8407)	764.920	n	(P-8395)	200.335	am	(P-13035)	700.540		
764.10	n	(P-8395)	764.930	n	(P-8395)	200.340	am	(P-13035)	700.545		
764.10	n	(P-8395)	764.940	n	(P-8395)	200.345	am	(P-13035)	700.550		
764.30	n	(P-8395)	764.950	n	(P-8395)	200.350	am	(P-13035)	700.555		
764.30	n	(P-8395)	764.960	n	(P-8395)	200.355	am	(P-13035)	700.560		
764.30	n	(P-8395)	764.970	n	(P-8395)	200.360	am	(P-13035)	700.565		
764.30	n	(P-8395)	764.980	n	(P-8395)	200.365	am	(P-13035)	700.570		
764.30	n	(P-8395)	764.990	n	(P-8395)	200.370	am	(P-13035)	700.575		
764.30	n	(P-8395)	764.1000	n	(P-8395)	200.375	am	(P-13035)	700.580		
764.30	n	(P-8395)	764.1001	n	(P-8395)	200.380	am	(P-13035)	700.585		
764.30	n	(P-8395)	764.1002	n	(P-8395)	200.385	am	(P-13035)	700.590		
764.30	n	(P-8395)	764.1003	n	(P-8395)	200.390	am	(P-13035)	700.595		
764.30	n	(P-8395)	764.1004	n	(P-8395)	200.395	am	(P-13035)	700.600		
764.30	n	(P-8395)	764.1005	n	(P-8395)	200.400	am	(P-13035)	700.605		
764.30	n	(P-8395)	764.1006	n	(P-8395)	200.405	am	(P-13035)	700.610		
764.30	n	(P-8395)	764.1007	n	(P-8395)	200.410	am	(P-13035)	700.615		
764.30	n	(P-8395)	764.1008	n	(P-8395)	200.415	am	(P-13035)	700.620		
764.30	n	(P-8395)	764.1009	n	(P-8395)	200.420	am	(P-13035)	700.625		
764.30	n	(P-8395)	764.1010	n	(P-8395)	200.425	am	(P-13035)	700.630		
764.30	n	(P-8395)	764.1011	n	(P-8395)	200.430	am	(P-13035)	700.635		
764.30	n	(P-8395)	764.1012	n	(P-8395)	200.435	am	(P-13035)	700.640		
764.30	n	(P-8395)	764.1013	n	(P-8395)	200.440	am	(P-13035)	700.645		
764.30	n	(P-8395)	764.1014	n	(P-8395)	200.445	am	(P-13035)	700.650		
764.30	n	(P-8395)	764.1015	n	(P-8395)	200.450	am	(P-13035)	700.655		
764.30	n	(P-8395)	764.1016	n	(P-8395)	200.455	am	(P-13035)	700.660		
764.30	n	(P-8395)	764.1017	n	(P-8395)	200.460	am	(P-13035)	700.665		
764.30	n	(P-8395)	764.1018	n	(P-8395)	200.465	am	(P-13035)	700.670		
764.30	n	(P-8395)	764.1019	n	(P-8395)	200.470	am	(P-13035)	700.675		
764.30	n	(P-8395)	764.1020	n	(P-8395)	200.475	am	(P-13035)	700.680		
764.30	n	(P-8395)	764.1021	n	(P-8395)	200.480	am	(P-13035)	700.685		
764.30	n	(P-8395)	764.1022	n	(P-8395)	200.485	am	(P-13035)	700.690		
764.30	n	(P-8395)	764.1023	n	(P-8395)	200.490	am	(P-13035)	700.695		
764.30	n	(P-8395)	764.1024	n	(P-8395)	200.495	am	(P-13035)	700.700		
764.30	n	(P-8395)	764.1025	n	(P-8395)	200.500	am	(P-13035)	700.705		
764.30	n	(P-8395)	764.1026	n	(P-8395)	200.505	am	(P-13035)	700.710		
764.30	n	(P-8395)	764.1027	n	(P-8395)	200.510	am	(P-13035)	700.715		
764.30	n	(P-8395)	764.1028	n	(P-8395)	200.515	am	(P-13035)	700.720		
764.30	n	(P-8395)	764.1029	n	(P-8395)	200.520	am	(P-13035)	700.725		
764.30	n	(P-8395)	764.1030	n	(P-8395)	200.525	am	(P-13035)	700.730		
764.30	n	(P-8395)	764.1031	n	(P-8395)	200.530	am	(P-13035)	700.735		
764.30	n	(P-8395)	764.1032	n	(P-8395)	200.535	am	(P-13035)	700.740		
764.30	n	(P-8395)	764.1033	n	(P-8395)	200.540	am	(P-13035)	700.745		
764.30	n	(P-8395)	764.1034	n	(P-8395)	200.545	am	(P-13035)	700.750		
764.30	n	(P-8395)	764.1035	n	(P-8395)	200.550	am	(P-13035)	700.755		
764.30	n	(P-8395)	764.1036	n	(P-8395)	200.555	am	(P-13035)	700.760		
764.30	n	(P-8395)	764.1037	n	(P-8395)	200.560	am	(P-13035)	700.765		
764.30	n	(P-8395)	764.1038	n	(P-8395)	200.565	am	(P-13035)	700.770		
764.30	n	(P-8395)	764.1039	n	(P-8395)	200.570	am	(P-13035)	700.775		
764.30											

Title	86	cont.	am	(P-7490/95;A-5814)	11,298	am	(P-5965)	
8901.01	n	(P-11910i)	3000.616	am	(P-10439)	11,210	am	(P-8433)
8901.05	n	(P-11910i)	3000.625	am	(P-10439)	11,210	am	(P-8433)
8901.10	n	(P-11910i)	3000.630	am	(P-10439)	11,215	am	(P-10363/95;A-6498)
8901.15	n	(P-11910i)	3000.635	am	(P-10439)	11,251	am	(P-10363/95;A-6498)
8901.20	n	(P-11910i)	3000.636	am	(P-7490/95;RC-4072;A-5814)	11,252	am	(P-10363/95;A-6498)
8901.25	n	(P-11910i)	3000.640	am	(P-10439)	11,253	am	(P-10363/95;A-6498)
8901.30	n	(P-11910i)	3000.660	am	(P-10439)	11,253	am	(P-10363/95;A-6498)
8901.35	n	(P-11910i)	3000.665	am	(P-10439)	11,230	am	(P-11462)
891.01	n	(P-11918i)	3000.666	am	(P-10439)	11,230	am	(P-11462)
891.05	n	(P-11918i)	3000.666	am	(P-10439)	11,214	am	(P-1338)
891.10	n	(P-11918i)	3000.670	am	(P-10439)	11,262	am	(P-2469/95;A-858)
891.15	n	(P-11918i)	3000.720	am	(P-10439)	11,262	am	(P-2469/95;A-858)
891.20	n	(P-11918i)	3000.725	am	(P-10439)	114,351	am	(P-4237/IE;A445)
891.25	n	(P-11918i)	3000.725	am	(P-10439)	114,351	am	(P-4237/IE;A445)
891.30	n	(P-11918i)	3000.800	am	(P-10439)	114,352	am	(P-5748/R-8860)
891.35	n	(P-11918i)	3000.810	am	(P-10439)	114,352	am	(P-5748/R-8860)
892.01	n	(P-11923i)	3000.830	am	(P-10439)	114,352	am	(P-4237/IE;A445)
892.05	n	(P-11923i)	3000.840	am	(P-10439)	114,353	am	(P-4237/IE;A445)
892.10	n	(P-11923i)	3000.900	am	(P-10439)	114,353	am	(P-5748/R-8860)
892.15	n	(P-11923i)	3000.910	am	(P-10439)	114,353	am	(P-5748/R-8860)
892.20	n	(P-11923i)	3000.1020	am	(P-10439)	116,50	am	(A-9970)
7503.300	am	(P-5042;A-9111)	3000.1030	am	(P-10439)	117,10	am	(P-5466/A-11484)
7503.300	am	(P-5042;A-9111)	3000.1040	am	(P-10439)	117,10	am	(P-8942/95;A-977)
7504.400	am	(P-5038/Q-9387)	3000.1050	am	(P-10439)	117,10	am	(P-1593)
800.1000	am	(P-5038/Q-9387)	3000.1070	am	(P-10439)	117,11	n	(P-1593)
800.1000	am	(P-5038/Q-9387)	3000.1071	am	(P-10439)	117,12	n	(P-1593)
800.4000	n	(P-5038/Q-9387)	3000.1072	am	(P-10439)	117,13	n	(P-1593)
800.4000	n	(P-5038/Q-9387)	3000.1115	am	(P-10439)	117,15	am	(P-3816/95;A-5708)
3000.100	am	(P-10439)	3000.1115	am	(P-10439)	117,50	am	(P-10331/IE;I0381)
3000.102	n	(P-10439)	3000.1120	am	(P-10439)	120,80	am	(P-5068)
3000.103	n	(P-10439)	3000.1120	am	(P-10439)	120,330	am	(P-1133)
3000.104	n	(P-10439)	3000.1126	am	(P-10439)	120,360	am	(P-1133)
3000.105	n	(P-10439)	3000.1130	am	(P-10439)	120,361	am	(P-1133)
3000.110	am	(P-10439)	3000.1135	am	(P-10439)	120,362	am	(P-1133)
3000.120	am	(P-10439)	3000.1138	am	(P-10439)	120,363	am	(P-1133)
3000.140	am	(P-10439)	3000.1155	am	(P-10439)	120,364	am	(P-1133)
3000.160	am	(P-10439)	102.20	n	(P-12227/95;A-883)	120,372	am	(P-1133)
3000.180	am	(P-10439)	102.21	n	(P-12227/95;A-883)	120,379	am	(P-11472)
3000.231	am	(P-10439)	102.200	n	(P-7579)	120,395	am	(P-1133)
3000.234	n	(P-10439)	102.210	am	(P-7579)	121,20	am	(P-3151/IE;I13381)
3000.240	am	(P-7734/IE-8051)	102.235	am	(P-7579)	121,20	am	(P-3151/IE;I13381)
3000.241	am	(P-7734/IE-8051)	104.10	am	(P-8942)	121,22	am	(P-10263)
3000.242	am	(P-7734/IE-8051)	104.105	n	(P-1535/95;A-5699)	121,23	am	(P-10263)
3000.243	am	(P-7734/IE-8051)	104.105	n	(P-1535/95;A-5699)	121,23	am	(P-10263)
3000.243	am	(P-7734/IE-8051)	104.207	n	(P-1535/95;A-5699)	121,24	am	(P-10263)
3000.246	am	(P-10439)	104.213	am	(P-1535/95;A-5699)	121,24	am	(P-10263)
3000.270	am	(P-10439)	104.221	am	(P-1229)	121,25	am	(P-10263)
3000.271	am	(P-10439)	104.229	am	(P-1535/95;A-5699)	121,25	am	(P-10263)
3000.280	am	(P-10439)	104.273	am	(P-8620)	121,26	am	(P-10263)
3000.281	am	(P-10439)	110.10	am	(P-8926)	121,26	am	(P-10263)
3000.282	f	(P-10439)	110.15	am	(P-8926)	121,27	am	(P-10263)
3000.283	f	(P-10439)	111.10	am	(P-13717/95;A-1191)	121,27	am	(P-10263)
3000.283	f	(P-10439)	111.101	am	(P-13717/95;A-1191)	121,27	am	(P-10263)
3000.284	n	(P-10439)	112.30	am	(P-13031)	121,29	am	(P-10263)
3000.300	am	(P-7490/95;A-5814)	112.30	am	(P-1235/95;A-6018)	121,29	am	(P-10263)
3000.310	am	(P-7490/95;A-5814)	112.65	n	(P-1232/95;A-6018)	121,31	am	(P-10263)
3000.310	am	(P-7490/95;A-5814)	112.65	n	(P-1232/95;A-6018)	121,31	am	(P-10263)
3000.330	am	(P-7490/95;A-5814)	112.70	am	(P-1029/95;A-3538)	121,50	am	(P-13151/IE;I13381)
3000.340	am	(P-7490/95;A-5814)	112.70	am	(P-1029/95;A-3538)	121,50	am	(P-13151/IE;I13381)
3000.350	am	(P-7490/95;A-5814)	112.71	am	(P-1177/95;A-845)	121,51	am	(P-13151/IE;I13381)
3000.350	am	(P-7490/95;A-5814)	112.71	am	(P-1177/95;A-845)	121,51	am	(P-13151/IE;I13381)
3000.400	am	(P-10439)	3000.400	am	(P-3461)	121,57	am	(P-3791;A-7092)
3000.405	am	(P-10439)	3000.405	am	(P-4297/95;A-3538)	121,58	am	(PP-2228-Q-4075)
3000.415	am	(P-10439)	3000.415	am	(P-4297/95;A-3538)	121,58	am	(PP-2228-Q-4075)
3000.420	am	(P-10439)	3000.420	am	(P-10263)	121,60	am	(P-13151/IE;I13381)
3000.424	n	(P-10439)	112.72	am	(P-11560)	121,61	am	(PP-2229-Q-4075)
3000.450	am	(P-7490/95;A-5814)	112.73	am	(P-1177/95;A-845)	121,63	am	(P-13151/IE;I13381)
3000.510	am	(P-7490/95;A-5814)	112.74	am	(P-1429/95;A-3538)	121,63	am	(PP-2228-Q-4075)
3000.600	am	(P-10439)	112.75	am	(P-12498/IE-12326)	121,63	am	(PP-2228-Q-4075)
3000.602	n	(P-10439)	112.76	am	(P-1429/95;A-3538)	121,64	am	(PP-2229-Q-4075)
3000.605	am	(P-10439)	112.77	am	(P-1429/95;A-3538)	121,64	am	(PP-2229-Q-4075)
3000.608	am	(P-10439)	112.78	am	(P-1429/95;A-3538)	121,70	am	(P-13151/IE;I13381)
3000.614	n	(P-7490/95;A-5814)	112.79	am	(P-1429/95;A-3538)	121,70	am	(P-13151/IE;I13381)

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